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C.S.No.578 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2023

CORAM:

THE HONOURABLE MS JUSTICE R.N.MANJULA

C.S.No.578 of 2016

VISTRA ITCL(INDIA) LTD,
having its Registered office at
IL & FS Financial Centre Plot No.C-22,
G-Block 5th floor, Bandra Kurla Complex
Bandra (East) Mumbai – 400 051.
in its capacity as Security Trustee,
Rep.by its Authorized Officer
Ms.PragatiGupta
(Amended as per the order dated
09.04.2019 in M.P.No.2778 of 2019)

... Plaintiff

Vs

- 1.Marg Properties Ltd.,
“Marg Axis” 4/318
Rajiv Gandhi Salai
Kottivakkam, Chennai-41
2. GRK Reddy
Old.No.24, New No.17,
South Mada Street, Srinagar Colony
Saidapet, Chennai-15
3. Marg Ltd.
“Marg Axis” 4/318,
Rajiv Gandhi Salai
Kottivakkam Chennai-41



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4. Pathang Construction Pvt.Ltd.

“Marg Axis” 4/318,

Rajiv Gandhi Salai

Kottivakkam, Chennai-41

5. Kadambani Education Pvt.Ltd.

1st floor, Sai Subhodaya Apartments,

No.57/2B, ECR Road,

Thiruvanmiyur Chennai-41

(Amended as per order,

dated 08/07/19 in A.4681/19)

6. Hilary Construction Pvt. Ltd.

“Marg Axis” 4/318,

Rajiv Gandhi Salai

Kottivakkam, Chennai-4.

... Defendants

Prayer: Plaintiff filed under Order XXXVII Rule 1 & 2 of Original Side Rules r/w. Order XXXIV of Code of Civil Procedure praying for,

a) (i) For a sum of Rs.2,26,07,561.65/- together with interest at the rate of 17% p.a. from the date of plaint on Rs.15,000,000/- on the account of M/s.Emmajay Financial Ventures P.Ltd.

(ii) For a sum of Rs.1,37,93,424/- together with interest at the rate of 12% p.a. from the date of plaint on Rs.10,000,000/- on the account of M/s.Ahinsa Merchandise P.Ltd.,

(iii) For a sum of Rs.1,68,24,109.59/- together with interest at the rate of 24% p.a. from the date of plaint on Rs.10,000,000/- on the account of M/s.Integral Vinimay Private Limited; and

(iv) For a sum of Rs.1,69,28,387.51/- together with interest at the rate of 24% p.a. from the date of plaint on Rs.10,000,000/- on the account of M/s.Mahaluxmi Rolling Mills;



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- (v) For a sum of Rs.4,23,050.00/- together with interest at the rate of 24% from the date of plaint on the account the plaintiff jointly and severally, on or before the date to be fixed by this Court;
- b) In the event of the defendants 1 to 3 defaulting in remitting the sums determined by this Court, as prayed above, the properties described in the Schedule hereunder be sold and the sale proceeds may be applied towards discharge of Decree amount, in relief (a) above;
- c) in the event of any short fall, a Decree against the Defendants 1 to 3, personally holding them liable for balance outstanding;
- d) for costs of the above suit.

For Plaintiff : M/s.Rank Associates

For Defendants : Dr.S.Padma

JUDGMENT

On 06.03.2023, the learned counsel for the plaintiff reported no instruction and in pursuant to the same, the suit was directed to be listed under the caption for dismissal today i.e., 13.03.2023 by printing the name of the plaintiff in the cause list.

2. Today, when the matter was taken up today, the plaintiff called, absent. Hence, the Civil Suit stands dismissed for default. No costs.

13.03.2023

Index: Yes/No
Speaking order/Non speaking order
vum

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