



WEB COPY

C.S.No.937 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2024

CORAM

**THE HONOURABLE MR. JUSTICE P.B.BALAJI**

**CS. No.937 of 2007**

**and**

**A.No.6074 of 2023 & OA. No.811 of 2014**

S.Murugan

... Plaintiff

Vs.

- 1.M/s.Karur Vysya Bank Limited,  
Rep. by its DGM,  
Mr.J.Hariharan.
- 2.Mr.Paramasivam Pillai
- 3.M/s.Ashoka Associates,  
Partnership Firm rep. by its Partner,  
Mr.V.Manthiram.
- 4.M/s.Pyramid Saimira Theatre Limited,  
Having Office at No.672, 2<sup>nd</sup> Floor,  
Temple Towers, Anna Salai,  
Nandanam, Chennai - 600 035.
- 5.M/s.Lavanya and Co.,  
Proprietorship Firm,  
rep. by Mr.N.Narayanan.
- 6.The Hon'ble Receiver,  
Justice K.Swamidurai.
- 7.M/s.Aruna Theatres and Enterprises Private Limited.,  
Rep. by its Board of Directors.
- 8.M/s.Annai Mookambikai Four Mills Private Limited,  
No:9, Davidson Street,  
Chennai - 600 001.
- 9.K.Muthusamy  
(9th defendant impleaded as per order dated



04.01.2008 in A. No.7054 of 2007).

10.N.Sankaranarayanan

11.Mrs.N.Arunachalathammal.

(10<sup>th</sup> & 11<sup>th</sup> defendants impleaded as

per order dated 04.01.2008 in

A. No.7061 of 2007)

12. K.Shanmugasundaram

13.S.Ulagammal

14.M.Sharmila

15.K.Muthu Kalyanasundaram

16.S.Vallinayagam

17.M.Indira Muthuvel

18. S.Anandha Saraswathi

19.M.Bagavathi

20.P.Krishnamurthy

21.B.Muthulakshmi

22.M.Sundari

23.R.Vallidevi

(12 to 23 defendants impleaded as per

order dated 04.01.2008 in A. No.7132 of 2007)

24.K.Muthulakshmi

25.S.Indira

26.V.Bhuvaneswari

27.K.Muthu Selvakumar

(24 to 27 defendants impleaded as per

order dated 04.01.2008 in A.No.7133 of 2007)

28.S.Ramalingam

29.S.Sankaran

30.S.Narayanan

31.S.Paramasivam

32.S.Selvaraj

(28 to 32 defendants impleaded as per

order dated 04.01.2008 in A.No.7134 of 2007)

33.N.Gomathinayagam

(33<sup>rd</sup> defendant impleaded as per

order dated 04.01.2008 in A.No.7164 of 2007)

34.Smt.P.Muthu Rajeswari

(34<sup>th</sup> defendant impleaded as per

order dated 04.01.2008 in A.No.7664 of 2007)



- 35.Smt.G.Vasugi  
(35<sup>th</sup> defendant impleaded as per  
order dated 04.01.2008 in A.No.7669 of 2007)
- 36.Smt.R.Lakshmi  
(36<sup>th</sup> defendant impleaded as per  
order dated 04.01.2008 in A.No.7674 of 2007)
- 37.K.Murugan
- 38.K.Muthukrishnan  
(37 & 38 defendants impleaded as per order  
dated 03.08.2012 in A.No.8346 of 2012)
- 39.S.Balasubramanian,  
(39<sup>th</sup> defendant impleaded as per order  
dated 09.02.2023 in A.No.9077 of 2018)

...Defendants

**PRAYER:** The Complaint filed under Order VII Rule 1 of CPC and Rule IV Rule 1 of CPC read with Order IV Rule 1 of High Court Original Side Rules praying to pass a judgment and decree against the defendants:

- (a) To declare the assignment deed dated 09.10.2007 between 1<sup>st</sup> and 2<sup>nd</sup> defendant as null and void.
- (b) to declare the assignment deed dated 09.10.2007 between 2<sup>nd</sup> and 3<sup>rd</sup> defendant as null and void.
- (c) To declare the mortgage deed dated 09.10.2007 between 3<sup>rd</sup> and 5<sup>th</sup> defendant as null and void.
- (d) To declare the lease deed dated 09.10.2007 between 3<sup>rd</sup> and 4<sup>th</sup> defendants as null and void.
- (e) For permanent injunction restraining defendants 1 to 4 and 6 to 8 their agents, servants, assigns, successors in interest from in anyway creating any charge, encumbrance, alienate or right on any of the properties both movable and immovable of the plaintiff.
- (f) For costs of this suit.



For Appellant : Mr.R.Rajesh

For Defendants : Mr.A.V.Radhakrishnan for D1  
M/s.NVS.Assoicates for D2 & D3  
Mr.R.Sagadevan for D4  
Mrs.G.Pavithra for D5  
Mr.K.S.Natarajan for D6  
Mr.C.Umashnkar for D7  
Mr.S.Thiruvankadam for D8  
Mrs.Pushpa Menon for D9  
Mr.A.K.Raghavelu for D10  
Mr.A.Krishnaswamy for D11 to D14  
Mr.K.S.Viswanathan for D37 & D38

### **JUDGMENT**

The learned counsel for the plaintiff seeks permission of this Court to withdraw this Civil Suit and he has also made an endorsement to that effect.

2. Recording the endorsement made by the learned counsel for the plaintiff, this Civil Suit is dismissed as withdrawn. Consequently, connected Miscellaneous Applications are also dismissed. No costs.

**10.06.2024**

Index : Yes/No  
Internet : Yes/No  
rkp



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**P.B.BALAJI, J,**

rkp

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