

— order the European Central Bank and/or the European Commission to pay the costs of these proceedings.

Pleas in law and main arguments

In support of the action the applicants put forward four pleas in law.

1. By the first plea for annulment the applicants maintain that the contested decision is null and void, since the decision exceeds the powers conferred by the Treaty on European Union on not only the European Central Bank but also the European Commission, and is manifestly an act which was *ultra vires* of those two institutions.
2. By the second plea for annulment, the applicants maintain that the contested decision is in breach of the right to respect for property, which is protected by Article 1 of the First Protocol to the European Convention for the Protection of Human Rights and Article 14 of the European Convention for the Protection of Human Rights, as confirmed by the Charter of Fundamental Rights of the European Union.
3. By the third plea for annulment, the applicants maintain that the contested decision is manifestly unfounded and lacking any legal basis and is contrary to the principle of proportionality.
4. By the fourth plea for annulment, the applicants maintain that the contested decision is also contrary to the generally recognised legal principles which have been disseminated in European Union law and in particular to the principle that no-one may rely on his own failures to obtain an advantage and/or to justify wrongful and/or unlawful conduct.

Action brought on 4 June 2013 — Tameio Pronoias Prosopikou Trapezis Kyprou v Commission and European Central Bank

(Case T-328/13)

(2013/C 252/55)

Language of the case: Greek

Parties

Applicant: Tameio Pronoias Prosopikou Trapezis Kyprou (Nicosia, Cyprus) (represented by: E. Efstathiou, K. Efstathiou and K. Liasidou, lawyers)

Defendants: European Central Bank and European Commission

Form of order sought

The applicant claims that the General Court should:

- declare the action to be admissible and well founded;
- annul the decision of the Eurogroup of 25 March 2013, which took its final form through the decision of the Governor of the Central Bank of Cyprus as the representative and/or agent of the European System of Central Banks dated 29 March 2013, K.D.P [Regulatory Administrative

Act] 104/2013, whereby the ‘sale of certain operations’ of Cyprus Popular Bank Public Co Ltd was decided and which in essence constitutes a joint decision of not only the European Central Bank but also of the European Commission;

- in addition, declare that the abovementioned decision of the Eurogroup in essence constitutes a decision of the European Central Bank and/or of the European Commission jointly irrespective of the shape or form in which it was dressed;
- order the European Central Bank and/or the European Commission to pay the costs of these proceedings.

Pleas in law and main arguments

In support of the action the applicant puts forward four pleas in law.

1. By the first plea for annulment the applicant maintains that the contested decision is null and void, since the decision exceeds the powers conferred by the Treaty on European Union on not only the European Central Bank but also the European Commission, that is to say, it is an act which was *ultra vires* of those two institutions.
2. By the second plea for annulment, the applicant maintains that the contested decision is in breach of the right to respect for property, which is protected by Article 1 of the First Protocol to the European Convention for the Protection of Human Rights and Article 14 of the European Convention for the Protection of Human Rights, as confirmed by the Charter of Fundamental Rights of the European Union.
3. By the third plea for annulment, the applicant maintains that the contested decision is manifestly unfounded and lacking any legal basis and is contrary to the principle of proportionality.
4. By the fourth plea for annulment, the applicant maintains that the contested decision is also contrary to the generally recognised legal principles which have been disseminated in European Union law and in particular to the principle that no-one may rely on his own failures to obtain an advantage and/or to justify wrongful and/or unlawful conduct.

Action brought on 4 June 2013 — Khatzithoma and Khatzithoma v Commission and European Central Bank

(Case T-329/13)

(2013/C 252/56)

Language of the case: Greek

Parties

Applicants: Petros Khatzithoma (Nicosia, Cyprus) and Elenitsa Khatzithoma (Nicosia, Cyprus) (represented by: E. Efstathiou, K. Efstathiou and K. Liasidou, lawyers)

Defendants: European Central Bank, European Commission

Form of order sought

The applicants claims that the General Court should:

- declare the action to be admissible and well founded;
- annul the decision of the Eurogroup of 25 March 2013, which took its final form through the decision of the Governor of the Central Bank of Cyprus as the representative and/or agent of the European System of Central Banks dated 29 March 2013, K.D.P [Regulatory Administrative Act] 104/2013, whereby the ‘sale of certain operations’ of Cyprus Popular Bank Public Co Ltd was decided and which in essence constitutes a joint decision of not only the European Central Bank but also of the European Commission;
- in addition, declare that the abovementioned decision of the Eurogroup in essence constitutes a decision of the European Central Bank and/or of the European Commission jointly irrespective of the shape or form in which it was dressed;
- order the European Central Bank and/or the European Commission to pay the costs of these proceedings.

Pleas in law and main arguments

In support of the action the applicants put forward four pleas in law.

1. By the first plea for annulment the applicants maintain that the contested decision is null and void, since the decision exceeds the powers conferred by the Treaty on European Union on not only the European Central Bank but also the European Commission, that is to say, it is an act which was *ultra vires* of those two institutions.
2. By the second plea for annulment, the applicants maintain that the contested decision is in breach of the right to respect for property, which is protected by Article 1 of the First Protocol to the European Convention for the Protection of Human Rights and Article 14 of the European Convention for the Protection of Human Rights, as confirmed by the Charter of Fundamental Rights of the European Union.
3. By the third plea for annulment, the applicants maintain that the contested decision is manifestly unfounded and lacking any legal basis and is contrary to the principle of proportionality.
4. By the fourth plea for annulment, the applicants maintain that the contested decision is also contrary to the generally recognised legal principles which have been disseminated in European Union law and in particular to the principle that no-one may rely on his own failures to obtain an advantage and/or to justify wrongful and/or unlawful conduct.

Action brought on 4 June 2013 — Chatziannou v Commission and European Central Bank

(Case T-330/13)

(2013/C 252/57)

Language of the case: Greek

Parties

Applicant: Lella Chatziannou (Nicosia, Cyprus) (represented by: E. Efstathiou, K. Efstathiou and K. Liasidou, lawyers)

Defendants: European Central Bank and European Commission

Form of order sought

The applicant claims that the General Court should:

- declare the action to be admissible and well founded;
- annul the decision of the Eurogroup of 25 March 2013, which took its final form through the decision of the Governor of the Central Bank of Cyprus as the representative and/or agent of the European System of Central Banks dated 29 March 2013, K.D.P [Regulatory Administrative Act] 104/2013, whereby the ‘sale of certain operations’ of Cyprus Popular Bank Public Co Ltd was decided and which in essence constitutes a joint decision of not only the European Central Bank but also of the European Commission;
- in addition, declare that the abovementioned decision of the Eurogroup in essence constitutes a decision of the European Central Bank and/or of the European Commission jointly irrespective of the shape or form in which it was dressed;
- order the European Central Bank and/or the European Commission to pay the costs of these proceedings.

Pleas in law and main arguments

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3. By the third plea for annulment, the applicant maintains that the contested decision is manifestly unfounded and lacking any legal basis and is contrary to the principle of proportionality.