

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2016

CORAM

The HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE R.MAHADEVAN

O.S.A.Nos.187 to 190 of 2016
and C.M.P.Nos.14337 and 14338 of 2016

Hatsun Agro Product Ltd.
having registered office at
No.1/20-A, Rajiv Gandhi Salai (OMR)
Karapakkam, Chennai - 600 097
and also carrying on its business at
Old No.AD-83/New No.AD13
Anna Nagar, Opp. IOB Towers Branch
Chennai - 600 040.

.. Appellant
in all appeals

Vs.

Arokya Food Products
Vasantha Nagar
Madurai - 625 003.

.. Respondent
in all appeals

PRAYER: Appeals against the judgment and decree dated 30.6.2016 made in (i) O.A.No.1145 of 2015 in C.S.No.854 of 2015; (ii) O.A.No.1146 of 2015 in C.S.No.854 of 2015; (iii) A.No.1554 of 2016 in O.A.No.1145 of 2015 in C.S.No.854 of 2015; and (iv) A.No.1555 of 2016 in O.A.No.1146 of 2015 in C.S.No.854 of 2015, respectively.

For Appellant : Mr.A.Prabhakara Reddy
for M/s.APR Associates

For Respondent : Mr.Abdul Qudhose

JUDGMENT

(Judgment of the Court was delivered by the Hon'ble Chief Justice)

We have heard the learned counsel for the parties. There is no dispute that the impugned order is only a prima facie reflection of the dispute, as the trial is yet to commence. It is, thus, agreed that an appropriate remedy would be to have expeditious trial and final adjudication in the suit, for which purpose the following agreed directions are issued:

- (i) Since pleadings are complete, suit be listed for framing of issues on 20.9.2016;
- (ii) Suit be listed for exhibiting of documents on 3.10.2016;
- (iii) In order to expedite trial, the parties agree that the evidence be recorded by a Retired Judicial Officer. Accordingly, Mr.G.V.Sankaranarayanamurthy, Retired Judicial Officer (Mobile No.9486624811) is appointed as the Local Commissioner to record evidence and he will endeavour to conclude the evidence within a period of three months from the first date fixed before the Local Commissioner. His fee is fixed at Rs.50,000/- (Rupees Fifty Thousand) to be equally shared by both set of parties, apart from out of pocket expenses; and
- (iv) On completion of evidence, the suit will be listed for direction before the learned Single Judge for fixing the matter for final hearing.

2. The respondents, in the meantime, will file three monthly accounts before the learned Single Judge with advance copy to the learned counsel for the appellant.

These appeals are disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

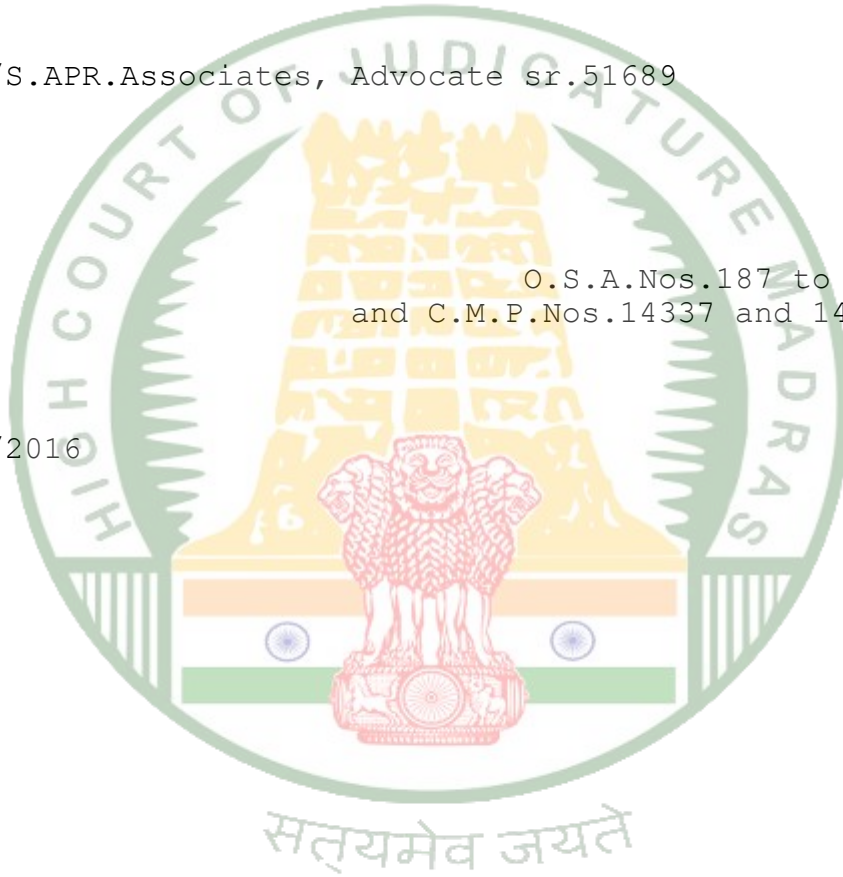
1.The Sub Assistant Registrar,
Original Side,
High Court, Madras.

2.Mr.G.V.Sankaranarayanamurthy,
Plot No.20/B/3, Abirami Plats,
Plot No.16, Second Cross Street
(III Main Road), Venkateswara Nagar,
Vellacherry,
Chennai-92.

+1cc to M/S.APR.Associates, Advocate sr.51689

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srg 22/09/2016



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