

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 12th DAY OF OCTOBER 2018

THE HON'BLE MR. JUSTICE M.SUNDAR

A.Nos.2408, 3699 and 3700 of 2018
in

C.S.No.291 of 2007 and 360 of 2007

C.S.No.291 of 2007:

Narasu's Coffee Company Pvt.Ltd
No.20, Nethaji Subhash Bose Road,
George Town,
Chennai 600 001
and having its principal place of business
at: 16, Court Road,
Johnsonpet, Salem 636 007.

...Plaintiff

-Versus-

1.Narasu's Roller Flour Mill
a Firm represented by its Partner
Mr.M.V.Balasubramaniam

2.Mr.M.V.Balasubramaniam
Partner, Narasus Roller Flour Mills

3.Mr.R.P.Sarathy
Partner, Narasus Roller Flour Mills

4.Mrs.B.Latha
Partner, Narsus Roller Flour Mills

.... Defendants

C.S.No.360 of 2007:

M/s Narasu's Saarathy Enterprises Pvt.Ltd
Rep by its Managing Director
M.V.Balasubramaniam
16-A Court Road, Johnsonpet,
Salem 636 007

Amended asper order date 14.09.2018 in
A.No.4803/2018

...Plaintiff

-Versus-

Narasu's Coffee Company,
A Firm represented by its
Managing partner Mr.P.Sivanandham,
S/o.Mr.R.P.Sarathy,
No.20, Nethaji Subhash Bose Road,
George Town,
Chennai 600 001
and having its principal place of business
at: 16, Court Road,
Johnsonpet, Salem 636 007.

... Defendant

A.No.2408, 3699 and 3700 of 2018:

- 1.Narasu's Roller Flour Mill
a Firm represented by its Partner
Mr.M.V.Balasubramaniam
- 2.Mr.M.V.Balasubramaniam
Partner, Narasus Roller Flour Mills
- 3.Mr.R.P.Sarathy
Partner, Narasus Roller Flour Mills
- 4.Mrs.B.Latha
Partner, Narsus Roller Flour Mills

...Applicants

Sri Narasu's Coffee Company Pvt.Ltd
No.20, Nethaji Subhash Bose Road,
George Town, Chennai - 600 001
and having its principal place of
business at No.16, Court Road,
Johnsonpet, Salem - 7.

...Respondent

A.No.2408 of 2018:

Application praying that this Hon'ble Court be
pleased to condone the delay of 3652 days in filing the
Written Statement in C.S.No.291 of 2007.

A.No.3699 of 2018:

Application praying that this Hon'ble Court be pleased to set aside the exparte order dated 11.04.2017 in C.S.No.291 of 2007.

A.No.3700 of 2018:

Application praying that this Hon'ble Court be pleased to condone the delay of 69 days in filing the set aside the exarte order date 11.04.2017 in C.S.No.291 of 2007.

This application coming on this day before this court for hearing, the court made the following order:

Read this in conjunction with and in continuation of earlier proceedings/orders of this Commercial Division dated 10.10.2018. The most relevant portion of the earlier proceedings/order is paragraph No.20 and the same reads as follows:

'20 Therefore, I deem it appropriate to accede to the prayers in these applications albeit by putting the defendants on terms/costs. I put the defendants on terms. It will be cost of Rs.5,000/- in each of the three applications, i.e., totally Rs.15,000/- in all. At this juncture, learned counsel for defendants, volutneers to pay the aforesaid costs to Blue Cross of India, No.72, Velachery Road, Guindy, Chennai-32.'

2 Pursuant to earlier orders, Memo of Compliance has been filed.

3 Therefore, all these three applications stand allowed.

Sd/.M.S.J

12.10.2018

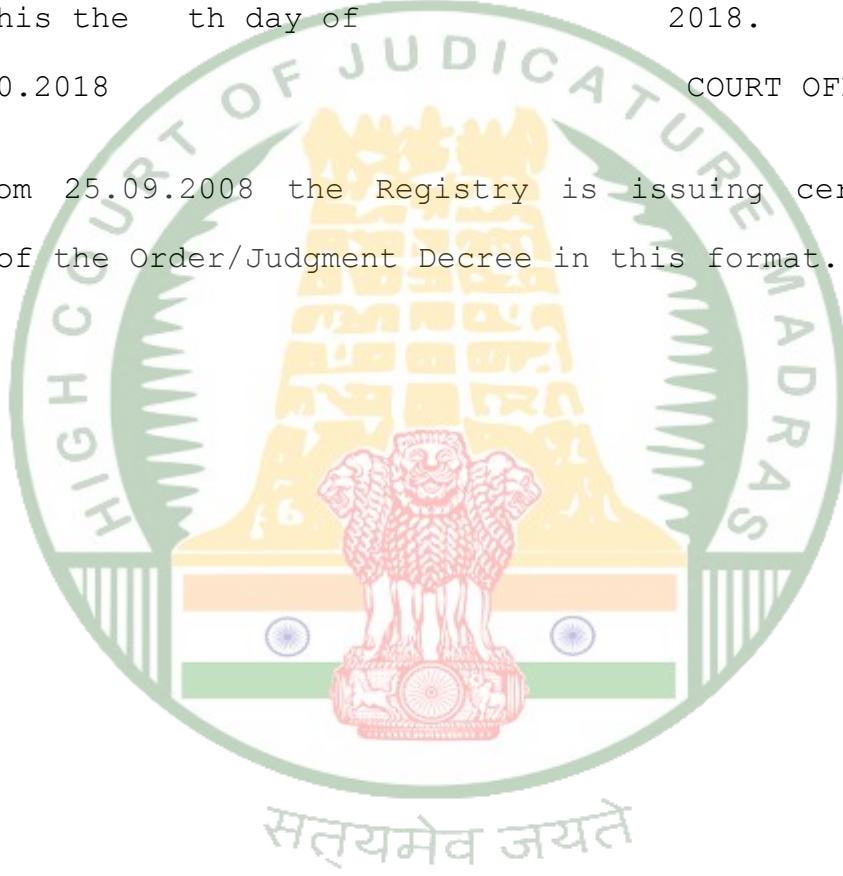
//Certified to be a true copy//

Dated this the th day of 2018.

DL/22.10.2018

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.



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