

IN THE HIGH COURT OF JUDICATURE AT MADRAS
 (ORDINARY ORIGINAL CIVIL JURISDICTION)
 TUESDAY, THE 6TH DAY OF MARCH 2018
 THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN
 A.No.825 of 2018
 in
 C.S.No.385 of 2016

Transworld Feeders FZCO
 Earlier known as Orient Express Lines FZCO,
 Plot No.S-20119, Jebel Ali,
 Free Zone (South),
 Dubai, United Arab Emirates,
 Rep.by its Power of Attorney Agent
 Mr.Vijaya Purushothaman Subash

... Applicant/Plaintiff

Vs

1.St.John Freight Systems Ltd.,
 having its Registered Office at
 C-98, Sipcot Industrial Complex,
 Harbour Express Road,
 Tuticorin 628008 and its Chennai Office at
 7th Floor, Khivraj Building, Complex II,
 480, Anna Salai, Nandanam,
 Chennai 600 035.

2.Lab Chemicals,
 No.19, Nyniappa Naicken Street,
 Park Town, Chennai 600 003

3.Blue Whale Shipping Company,
 New Door No.108, Old Door No.279,
 Thambu Chetty Street,
 Chennai 600 001

4.Vika Shipping Agency Pvt.Ltd.,
 New Door No.215, Old Door No.105,
 Angappa Naicken Street,
 Chennai 600 001

5.St.John Lines (Pte.) Ltd.,
 No.7, Temasek Boulevard,
 # 18-03A Suntec Tower One,
 Singapore 038987
 Rep.by its agents,
 M/s St.John Freight Systems Ltd.,
 7th Floor, Khivraj Building, Complex II,
 480, Anna Salai, Nandanam, Chennai 600 035.

6.BTL India (Pvt.) Ltd.
 M.A.Chidambaram Building,
 3rd Floor, No.6, Esplanade,
 Chennai 600 010

.. Respondents/Defendants

A.No.825 of 2018:-

Application praying that this Hon'ble Court be pleased to pass an order permitting amendment to the plaint in C.S.No.385 of 2016 by substituting the changed name of the plaintiff, TRANSWORLD FEEDERS FZCO in the place of Orient Express Lines FZCO, in the Short Cause Title and the Long Cause Title contained in Paragraph 1 of the Plaint and in the Statement of Addresses contained in Page 16 of the Plaint.

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

The defendants had filed A.Nos. 4950 & 7097 of 2017 under Order 7 Rule 11 of the Code of Civil Procedure seeking to reject the plaint.

2. The grounds raised therein have not been canvassed or examined by this Court. In the meanwhile, the plaintiff has filed the present Application in A.No. 825 of 2018 seeking to amend the plaint. The plaintiff has been described as Orient Express Lines FZCO in the plaint. The plaint had been verified by Vijaya Purushothaman, describing himself as Power of Attorney Agent of the plaintiff.

3. In the present Application, the deponent of the affidavit, namely, Vijaya Purushothaman had stated that subsequent to the institution of the suit before this Court, the name of the plaintiff has been changed to TRANSWORLD FEEDERS FZCO and a certificate was issued by JAFZA (Jebel Ali Free Trade Zone) with effect from 17.07.2016. A copy of the certificate had also been annexed.

4. As stated above, without going into the merits of the contentions raised in the applications seeking to reject the plaint, this Application is allowed.

5. The plaintiff is directed to carry out necessary amendment in the plaint and in all connected applications by 22.03.2018 and also file amended plaint copies.

6. Office is also directed to post all the connected applications on 22.03.2018.

7. It is also stated by the learned counsel for the fourth defendant that he has also raised substantial issues in the written statement. By allowing this application for amendment, it is made clear that the contentions in the written statement are not being examined at present.

sd/.C.V.K.J
06.03.2018

//Certified to be a true copy//

Dated this the 7th day of March 2018.

TR/07.03.2018

COURT OFFICER

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