

**Application Nos.2376 and 2377 of 2019 in
C.S.No.555 of 2015**

Krishnan Ramasamy, J.,

Application No.2376 of 2019 has been filed seeking to withdraw and transfer O.S.No.416 of 2019 pending on the file of XIX Additional City Civil Court, Chennai to be tried along with C.S.No.555 of 2015 and C.S.No.560 of 2015 pending before this Court.

2.Application No.2377 of 2019 has been filed to transfer C.S.No.562 of 2015 pending before the civil jurisdiction of this Court to try along with C.S.Nos.555 of 2015 and 560 of 2015, pending before this Court.

3. The learned counsel for the applicant would submit that the Respondent/Plaintiff had supplied cements to the Applicants and its group companies i.e.M/s.Infinite Salts Worldwide, M/s. Osyan Property (India) Private Limited-Chennai on various dates and towards alleged dues under the said supply, the Respondent/Plaintiff had filed the following suits:

(a) C.S.No.555 of 2015 before the Commercial Division of Madras High Court.

(b) C.S.No.560 of 2015 before the Commercial Division of Madras High Court.

(c) C.S.No.562 of 2015 before the High Court, Madras.

(d) O.S.No.416 of 2016 before the XIX Additional City Civil Court, Chennai.

4. The learned counsel for the Applicant would further submit that parties in all the suits and the issues arising in all the aforesaid suits are one and the same. Further, all the suits are inter-related with each other and the cause of action is also one and the same. He therefore submits that if all the four suits are tried separately, it will lead to multiplicity/conflict of orders/decisions on the same set of facts which will not be in the interest of either of the parties. Hence, he prays this Court to allow these applications.

5. The learned counsel appearing on behalf of the respondent has stated no objection to allow these applications.

6. Considering the facts and circumstances of the case and also considering the submissions made on either side, this Court feels that as the parties in all the suits are one and the same and the dispute pertaining to all the suits are also same coupled with the fact that all the suits have been filed for the same cause of action, in the interest of the justice, these applications can be allowed.

7. Accordingly, these applications are ordered as prayed for.

8. The Registrar, XIX Additional City Civil Court is directed to transfer all the records pertaining to O.S.No.416 of 2016 to this Court within a period of two weeks from the date of receipt of a copy of this order.

9. Post on 20.09.2019.

27.08.2019

arr



WEB COPY

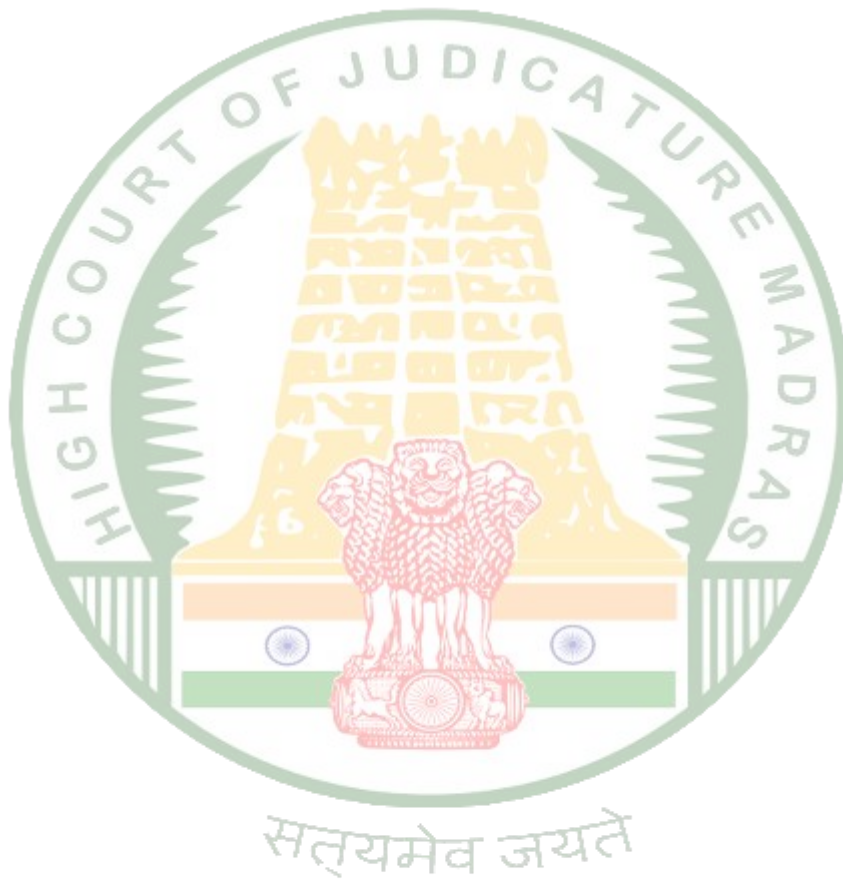
KRISHNAN RAMASAMY, J

arr



**Application Nos.2376 and 2377 of 2019 in
C.S.No.555 of 2015**

WEB COPY



WEB COPY