

A.No.1209 of 2021
in C.S.No.586 of 2012
and TR.C.S.No.195 of 2018

N.SESHASAYEE,J.,

The present petition is filed to accept an additional written statement, wherein a challenge is to the character of the Plaintiff. In the suit, the plaintiff describes himself as a 'Firm', whereas the defendant raised an objection based on the judgment made in *Sathyanarayana Brothers (P) Limited vs. T.N.Water Supply & Drainage Board* reported in (2004) 5 SCC 314 and contends that it is not a 'firm' but only a private limited Company.

2. The learned counsel for the Plaintiff would submit that the trial of the case is concluded and the matter is posted before this Court for final arguments, and it is at this stage, the defendants have come forward with their petition. He insisted that the Plaintiff continues to be a 'firm' and the name of the appellant before the Supreme Court in the authority cited by the defendant is little relevant to *Sathyanarayana Brother's case* (cited supra). He further submitted that the Plaintiff Firm has its Certificate of Registration available with it.

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3. Thus, to shorten the scope of litigation, during arguments, this Court deems it appropriate to allow this Application. This Court suo moto impleads K.R.Purushothaman / P.W.1 for proving the authority and for producing the Certificate of Registration. After all, the plaintiff did not have an occasion to challenge it, since the plaintiff's character as a 'firm' was not disputed by the defendants before trial.

4. The evidence will be recorded in the open Court and Cross-Examination will take place on the same day.

5. Post the case on 29.07.2021 at 2:15 p.m.

19.07.2021