



WEB COPY

1

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 08th DAY OF SEPTEMBER 2021

THE HON'BLE DR. JUSTICE G.JAYACHANDRAN

A.No.3115 of 2021

in

C.S.(Comm.Div.)No.62 of 2020

M/s A.T.M.CONSTRUCTIONS (P) LTD.,

Represented by its Director,

Mr.Faiz Mohammed,

No.288, Lloyds Road, Royapettah,

Chennai – 600 014.

... Plaintiff

-Versus-

1.M/s Bharath Petroleum Corporation Ltd.,

having its registered office at Bharath Bhavan,

No.4 and 6, Currimbhoy Road, Ballard Estate,

Mumbai 400 028,

Represented by its Senior Manager – Legal (South),

No.1, Rangamohan Gardens,

115, Main Road, Anna Nagar,

Chennai – 600 040.

2.M/s Bharath Petroleum Corporation Ltd.,

Represented by its Territory Manager (Retail),

No.35, Vaidyanathan Street,

Tondiarpet, Chennai – 600 081.

... Defendants

A.No.3115 of 2021:-

1.M/s Bharath Petroleum Corporation Ltd.,

having its registered office at Bharath Bhavan,

No.4 and 6, Currimbhoy Road, Ballard Estate,

Mumbai 400 028,

Represented by its Senior Manager – Legal (South),



No.1, Rangamohan Gardens,
115, Main Road, Anna Nagar,
Chennai – 600 040.

2.M/s Bharath Petroleum Corporation Ltd.,
Represented by its Territory Manager (Retail),
No.35, Vaidyanathan Street,
Tondiarpet, Chennai – 600 081.

... Applicants/Defendants

-Versus-

M/s A.T.M.CONSTRUCTIONS (P) LTD.,
Represented by its Director,
Mr.Faiz Mohammed,
No.288, Lloyds Road, Royapettah,
Chennai – 600 014.

... Respondent/Plaintiff

Application praying that this Hon'ble Court be pleased to receive the following additional documents filed by the Applicant/Plaintiff

- i. Lease deed dated 29.06.2021 registered as document no.1866/2021
- ii. Lease deed dated 15.07.2013 registered as document no.2190/2013
- iii. Lease deed dated 07.05.2018 registered as document no.663/2018
- iv. Lease deed dated 27.06.2003 registered as document no.624/2003
- v. Lease deed dated 01.04.2004 registered as document no.941/2004
- vi. Lease deed dated 23.04.1998 registered as document no.1087/2001

This application coming on this day before this court for hearing in the presence of M/s Geetha Ara for M/s S.Ramasubramaniam and Associations, Advocate for the applicant herein, and

Mr R. Balachandran, Advocates for the respondent herein, and upon reading the Judge's Summons and the affidavit of Gururaj Sankh filed herein, it is



ordered as follows:-

WEB COPY

That the applicants/defendants herein shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) as costs to the Secretary, Tamilnadu State Legal Services Authority, High Court, Chennai on or before 27.09.2021.

2. That the Application No.3115 of 2021 in C.S.(Comm.Div.)No.62 of 2020 be posted on 28.09.2021 for framing issues.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID,
THIS THE 08th DAY OF SEPTEMBER 2021.

Sd/-
ASSISTANT REGISTRAR (COMM.CASES)

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.



MU
WEB COPY

22.09.2021

4

A.No.3115 of 2021
in
C.S.(Comm.Div.)No.62 of 2020

ORDER

DATED : 08.09.2021

THE HON'BLE DR.JUSTICE
G.JAYACHANDRAN

FOR APPROVAL: 22.09.2021

APPROVED ON: 23.09.2021

Copy to:-

The Secretary,
Tamilnadu State Legal Services
Authority,
High Court, Chennai



WEB COPY

5

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 08th DAY OF SEPTEMBER 2021

THE HON'BLE DR. JUSTICE G.JAYACHANDRAN

A.No.3115 of 2021

in

C.S.(Comm.Div.)No.62 of 2020

M/s A.T.M.CONSTRUCTIONS (P) LTD.,

Represented by its Director,

Mr.Faiz Mohammed,

No.288, Lloyds Road, Royapettah,

Chennai – 600 014.

... Plaintiff

-Versus-

1.M/s Bharath Petroleum Corporation Ltd.,

having its registered office at Bharath Bhavan,

No.4 and 6, Currimbhoy Road, Ballard Estate,

Mumbai 400 028,

Represented by its Senior Manager – Legal (South),

No.1, Rangamohan Gardens,

115, Main Road, Anna Nagar,

Chennai – 600 040.

2.M/s Bharath Petroleum Corporation Ltd.,

Represented by its Territory Manager (Retail),

No.35, Vaidyanathan Street,

Tondiarpet, Chennai – 600 081.

... Defendants

A.No.3115 of 2021:-

1.M/s Bharath Petroleum Corporation Ltd.,

having its registered office at Bharath Bhavan,

No.4 and 6, Currimbhoy Road, Ballard Estate,

Mumbai 400 028,

Represented by its Senior Manager – Legal (South),



No.1, Rangamohan Gardens,
115, Main Road, Anna Nagar,
Chennai – 600 040.

2.M/s Bharath Petroleum Corporation Ltd.,
Represented by its Territory Manager (Retail),
No.35, Vaidyanathan Street,
Tondiarpet, Chennai – 600 081.

... Applicants/Defendants

-Versus-

M/s A.T.M.CONSTRUCTIONS (P) LTD.,
Represented by its Director,
Mr.Faiz Mohammed,
No.288, Lloyds Road, Royapettah,
Chennai – 600 014.

... Respondent/Plaintiff

Application praying that this Hon'ble Court be pleased to receive the following additional documents filed by the Applicant/Plaintiff

- i. Lease deed dated 29.06.2021 registered as document no.1866/2021
- ii. Lease deed dated 15.07.2013 registered as document no.2190/2013
- iii. Lease deed dated 07.05.2018 registered as document no.663/2018
- iv. Lease deed dated 27.06.2003 registered as document no.624/2003
- v. Lease deed dated 01.04.2004 registered as document no.941/2004
- vi. Lease deed dated 23.04.1998 registered as document no.1087/2001

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

The defendants have taken out this application to receive six additional documents starting from 23.04.1998 to 29.06.2021.



2. Out of six documents, except one which is dated 29.06.2021 all other five documents are prior to the suit and there is no plausible reason given by the applicant why these documents were not accompanied along with the written statement which they are supposed to file as per the provisions contemplated under the C.P.C., and Commercial Courts Act. However, the learned counsel for the plaintiff has no objection in receiving the documents.

3. Therefore, this Court allows the application on payment of a sum of Rs.5,000/- (Rupees Five Thousand only) as costs payable to the Secretary, Tamilnadu State Legal Services Authority, High Court, Chennai on or before 27.09.2021.

4. Post the matter on 28.09.2021 for framing issues.

Sd./-G.J.J.
08.09.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.