



WEB COPY



Appeal (CAD) No.12 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2025

CORAM

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

Appeal (CAD) No.12 of 2025

1.Dynamic Mines Corporation,
(Partnership Firm)
P.Mettupalayam Pillnatham (PO)
Tiruchengode (TK)
Namakkal 637 205

2.S.Palanivel

3.R.G.Nataraj Boopathy

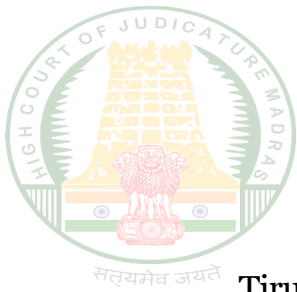
: Appellants

Vs

1.Chettinad Morimura Semiconductor
Material Pvt. Ltd.
Rep by its Authorized Signatory
Sp.Palaniappan
office at No. 37, O.M.R. Kazhipattur Village
Pudur Post, Kancheepuram District

2.P.Ramachandran

3.R.P.Enterprises
(Partnership Firm PAN No. AAPR 5975C)
Rep by its Partners P.Ramachandran
and M.S.Palanivel. P.Mettupalayam Pillanatham (PO)



Appeal (CAD) No.12 of 2025

WEB COPY

Tiruchengode (TK) Namakkal 637 205

4.DMC Enterprises

(Partnership Firm PAN No. AAHFD5026C)

Rep by its Partners P.Ramachandran, RG Nataraj and
M.S.Palanivel.

P.Mettupalayam Pillanatham (PO)

Tiruchengode (TK) Namakkal 637 205

: Respondents

Prayer: Appeal filed to set aside the Decree and Judgment dated 07.12.2024 made in COS No.1115 of 2022 on the file of the Principal Commercial Court, Chennai.

For Appellant : Mr.T.Gowthaman,
Senior Advocate,
for Mr.S.Mohana Sundara Rajan

For Respondent No.1 : Mr.K.T.Sankar Subramanian,
for Mr.T.Balaji

Not ready in notice in respect of
Respondents 2, 3 and 4.

JUDGMENT

(Judgment of the Court was delivered by the Hon'ble Chief Justice)

When it was brought to the notice of the Court by counsel for respondent No.1, the original plaintiff, that the decree has been passed on the basis of evidence, and primarily on the basis of admission made by all the three appellants in their respective written statements, along with



Appeal (CAD) No.12 of 2025

WEB COPY

admission by defendant No.4, who was a partner of appellant No.1, but who has not challenged the decree, counsel for appellants, on instructions, stated that appellants accept their liability and are ready to pay the amount. Counsel states that respondent No.4 to the appeal, who is the original defendant No.4, and who has not challenged the decree, should also be contributing for the payment.

2. In our view, that is an internal dispute between the partners and certainly, plaintiff who is respondent No.1 before us, cannot be made to suffer.

3. Counsel for appellants, on instructions, states that the decretal amount shall be paid within four weeks from today. He says if defendant No.4 does not readily contribute, appellants will pay and claim the share of defendant No.4, from defendant No.4, independently.

4. We express no opinion on that because that will be a question of settlement of accounts between partners and it is not the subject-matter before us.



Appeal (CAD) No.12 of 2025

WEB COPY

5. Statement is accepted as an undertaking by each of the appellants.

6. The appeal stands disposed of. There will be no order as to costs.

Consequently, the interim application also stands disposed of.

(K.R.SHRIRAM, CJ.)

(SUNDER MOHAN, J.)

09.06.2025

Index : Yes/No
Neutral Citation : Yes/No
tar



Appeal (CAD) No.12 of 2025

WEB COPY To

The Principal Commercial Court,
Chennai.



WEB COPY



Appeal (CAD) No.12 of 2025

THE HON'BLE CHIEF JUSTICE

AND

SUNDER MOHAN, J.

(tar)

Appeal (CAD) No.12 of 2025

09.06.2025