



C.M.A.Nos.1263, 1265 of 2024 and 270 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2025

CORAM :

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

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

C.M.A.Nos.1263, 1265 of 2024 and 270 of 2025
and C.M.P.Nos.11350, 11364 of 2024

C.M.A.No.1263 of 2024:

M.Pranuthi

.. Appellant

vs

1.P.Sivanantham

2.M/s.Sri Narasu's Coffee Company Private Limited,
rep. by its Managing Director P.Sivanantham,
No.16, Court Road,
Johnsonpet, Salem-636 007.

3.S.Mayakannan

4.Mohammed Jaffar

6.Venkat Ramesh

.. Respondents

Prayer : Appeal under Order XLIII, Rule 1(a) CPC read with Section 13(1) of the Commercial Courts Act read to set aside fair and decretal order dated 3.1.2024 made in I.A.No.2 of 2023 in C.O.S.No.11 of 2023 on the file of the District Judge, Commercial Court, Salem.



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C.M.A.Nos.1263, 1265 of 2024 and 270 of 2025

For Appellant : Mr.M.S.Seshadri

For Respondents : Mr.V.Manohar
for Mr.I.Arokiasamy
for respondent Nos.1 and 2

: No appearance
for respondent Nos.3 to 5

: R6 – Given up

C.M.A.No.1265 of 2024:

R.P.Sarathy (Died)

1.B.Latha

2.B.Jayashree

rep. by Power of Attorney Agent B.Nitish Harihar
Narasu's Sarathy Institute of Technology,
Poosaripatti, Kadayampatti Taluk,
Salem District.

3.M.Pranuthi

.. Appellants

vs

M/s.Sri Narasu's Coffee Company Private Limited,
rep. by its Managing Director P.Sivanantham,
No.16, Court Road,
Johnsonpet, Salem-636 007.

.. Respondent

Prayer : Appeal under Order XLIII, Rule 1(a) CPC read with Section 13(1) of the Commercial Courts Act to set aside the order dated 3.1.2024 made in I.A.No.7 of 2023 in C.O.S.No.8 of 2023 on the file of the District Judge, Commercial Court, Salem.



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C.M.A.Nos.1263, 1265 of 2024 and 270 of 2025

For Appellants

: Mr.M.S.Seshadri

For Respondent

: Mr.V.Manohar
for Mr.I.Arokiasamy

C.M.A.No.270 of 2025:

M.Pranuthi

.. Appellant

vs

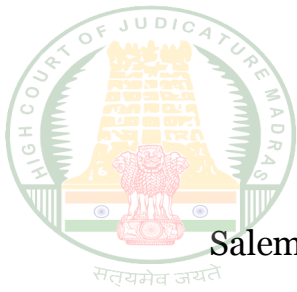
1.Narasu's Coffee Company,
a firm rep. by its Partner P.Sivanandam,
having office at
No.16, Court Road,
Johnsonpet,
Salem-636 007.

2.R.P.Sarathy
3.P.Sivanantham
4.Jayashree
5.Latha
6.Lalitha
7.Srudheep

8.M/s.Narasu's Coffee Company (P) Ltd.,
by its Chairman,
No.16, Court Road,
Johnsonpet,
Salem-636 007.

.. Respondents

Prayer : Appeal under Order XLIII, Rule 1(a) CPC read with Section 13(1) of the Commercial Courts Act to set aside the order dated 3.1.2024 made in C.O.S.No.7 of 2023 on the file of the District Judge, Commercial Court,



C.M.ANos.1263, 1265 of 2024 and 270 of 2025

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For Appellant : Mr.M.S.Seshadri

For Respondents : Mr.V.Manohar
for M/s.I.Arokiasamy
for respondent Nos.3, 6 to 8

: M/s.Kishore Balasubramanian
for respondent No.4

COMMON JUDGMENT
(Delivered by Hon'ble The Chief Justice)

These three appeals challenge a separate order dated 03.01.2024 passed in I.A.No.2 of 2023 in C.O.S.No.11 of 2023; I.A.No.7 of 2023 in C.O.S.No.8 of 2023; and, C.O.S.No.7 of 2023, respectively, on the file of the District Judge, Commercial Court, Salem.

2. Without going into the details or on the merits of rival contentions in the appeals before us and keeping open all the rights and contentions of the parties, the following order is passed by consent:

(a) All three complaints, namely C.O.S.Nos.7, 8 and 11 of



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2023, shall be re-presented before the trial court on or before 03.02.2025.

(b) In C.O.S.No.7 of 2023 (O.S.No.11 of 2010), defendants shall file the written statement and serve a copy thereof on plaintiff on or before 14.02.2025.

(c) In all three suits, affidavit of documents shall be filed and copies exchanged on or before 21.02.2025.

(d) On or before 07.03.2025, inspection of documents will be completed and statement of admission and denial shall also be exchanged.

(e) On or before 14.03.2025, discovery and inspection shall be completed and also parties shall file in court the agreed draft issues along with a separate list of issues not agreed upon.

(f) Suits be listed on 20.03.2025 before the trial court for framing of issues.

Thereafter, the trial court shall proceed to expeditiously conduct the trial and decide and deliver a judgment on or before 30.06.2025.



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(g) The trial court shall keep in mind that the suits have been pending for almost 12 – 15 years.

(h) If, for any exceptional reasons, the time line given above is not complied with, parties may apply to the trial court for extension of time and the trial court considering the facts and circumstances pass such order, as it deems fit, and extend the time line.

(i) The undertaking of both the parties to cooperate in expeditious disposal of the suits is accepted.

3. Appeals are, accordingly, disposed of. There shall be no order as to costs. Consequently, all interim applications are closed.

We clarify that we have not made any observation on the merits of the suits filed.

(K.R.SHRIRAM, C.J.)

(SENTHILKUMAR RAMAMOORTHY,J.)

28.01.2025

Index : Yes/No

NC : Yes/No

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THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY,J.

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28.01.2025.