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CMP No.18678 of 2025 in OSA (CAD) SR No.40864 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2025

CORAM

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CMP No.18678 of 2025
in OSA (CAD) SR No.40864 of 2025

N C Arya Snuff and Cigar Co.,
Rep by its Partner K.R.Ragurramun,
19, Davidson Street, Chennai-600 001

Applicant

Vs

Nico Quality Products
Rep. by its Partner K.C.Vijay,
1st Floor, No.4/1, Kandaswamy Street,
Chandrabagh Avenue,
Mylapore, Chennai-600 004 and 4 others

Respondents

For Applicant:

Mr.G.Ramesh

For Respondents:

Mr.Gautam S.Raman
for respondent No.1



CMP No.18678 of 2025 in OSA (CAD) SR No.40864 of 2025

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ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Heard on the application for accepting the cause-title.

2. Learned counsel for the applicant/appellant would submit that the firm was re-constituted during the pendency of the suit. At this stage, the applicant/appellant seeks acceptance of the cause-title, as the re-constituted firm succeeds the earlier partnership firm with all its assets and liabilities.

3. Learned counsel for the caveator/respondent No.1 opposes the prayer and he would submit that the re-constituted firm may not be allowed to file appeal, as the impugned judgment was rendered by the learned Single Judge without there being any prayer for substitution.

4. We are of the view that the re-constitution of the firm with all assets and liabilities, as stated, entitles the successor firm to prosecute



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the appeal, keeping in view the fact that during the pendency of the suit, the re-constitution had taken place. The objection of respondent No.1, therefore, has no basis and is rejected.

5. Application is, accordingly, allowed and the cause-title is accepted.

List the appeal for admission.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (SUNDER MOHAN,J)
05.08.2025

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