

**IN THE COURT OF JUDGE, COMMERCIAL COURT
(DISTRICT JUDGE CADRE), COIMBATORE**

Present: **Thiru. K.Hariharan, M.L.,**
Judge,
Commercial Court (District Judge Cadre),
Coimbatore

Wednesday, the 18th day of March 2026

**C.O.S.No.7 of 2025
(CNR No.TNCB22-000013-2025)**

M/s. Horizon Metal Tech Pvt. Ltd., Rep. by its Director and Authorized Signatory Mr. Ashok Sharma, having office at Plot No.19, EPIP-1, Tharmajari, Baddi, Solan District, Himachal Pradesh - 173 205 **... Plaintiff**

// Vs //

1. M/s. Sri Murugan Foundry Equipment, Rep. by its Managing Partner Mr.R.Murugaiyan, having office at No.12/3, Luna Nagar, Coimbatore - 641 025.

2. Mr. R.Murugaiyan, Partner of M/s. Sri Murugan Foundry Equipment, S/o late N.Ravindran, aged about 43 years, residing at Annai Illam No.14/8, Ragavendra Garden, Kavundampalayam, Edayarpalayam Post, Coimbatore - 641 025.

3. Mrs. R.Manonmani, Partner of M/s. Sri Murugan Foundry Equipment, W/o late N.Ravindran, aged about 72 years, residing at Annai Illam No.14/8, Ragavendra Garden, Kavundampalayam, Edayarpalayam Post, Coimbatore - 641 025.

4. Mrs. Deepa Murugaiyan, Partner of M/s. Sri Murugan Foundry Equipment, W/o Murugaiyan, aged about 42 years, residing at Annai Illam No.14/8, Ragavendra Garden, Kavundampalayam, Edayarpalayam Post, Coimbatore - 641 025. **... Defendants**

The suit has been filed by the plaintiff directing the defendants jointly and severally to pay a sum of Rs.74,50,310/- towards purchase of additional spare parts for the Plant, along with interest at the rate of 18% per annum from the date of suit till the date of realization and further the plaintiff also has sought for to direct the defendants to pay a sum of Rs.99,78,310/- towards loss of profit / production, along with interest at the rate of 18% per annum from the date of suit till the date of realization and for cost of the suit.

Date of the suit : 18.10.2024

[Date of Registration : 05.02.2025]

Cause of action arose on : 27.01.2021, 09.03.2021, 17.04.2021, 29.01.2021, 30.03.2021, 14.04.2021, 21.06.2022, 11.07.2022, 13.09.2022, 02.11.2022, 29.11.2022, 18.12.2022, 12.12.2022, 19.12.2022, 20.12.2022, 06.01.2023, 07.01.2023, 09.01.2023, 15.02.2023, 17.02.2023, 01.03.2023, 07.03.2023 all at within the jurisdiction of this Court.

The value of the suit for the purpose of Court Fee and jurisdiction is Rs.1,74,28,620/- and a Court Fee of Rs.5,22,859/- is paid under Section 22 of Tamil Nadu Court Fees and Suits Valuation Act, 1955.

DETAILS OF VALUATION

| | |
|---|---------------------------|
| Amount payable towards purchase of additional spare parts | - Rs. 74,50,310.00 |
| Amount payable towards loss of profit / production | - <u>Rs. 99,78,310.00</u> |
| Total Suit claim | - Rs.1,74,28,620.00 |

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|--|-----------------|
| Court Fee paid u/s 22 of TNCF & SV Act | - Rs.5,22,859/- |
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This suit came up for final hearing before me on 12.03.2026 in the presence of **Mrs.A.R.Poorvaja & Mr.S.R.Iyalpari, Advocates** for the plaintiff and **Mr.R.Senthilnathan, Advocate** for the defendants and upon perusing the records, hearing arguments on both sides and having stood over for consideration till this date, this Court **doth order** and **Decree** as follows:-

(1) that the suit be and the same is hereby **Partly Decreed** with Costs to the extent of decretal value;

(2) that the plaintiffs be and are hereby entitled for the relief of recovery of sum of **Rs.40,79,026/-** (Rupees Forty Lakhs Seventy Nine Thousand and Twenty Six only) towards purchase of additional spare parts along with interest at the rate of 18% per annum from the date of suit till the date of realization;

(3) that the plaintiffs be and are hereby also entitled for the relief of 1/3rd of the amount towards the loss of profits and productions which comes around **Rs.33,26,103/-** (Rupees Thirty Three Lakhs Twenty Six Thousand One Hundred and Three only) along with interest at the rate of 18% per annum from the date of suit till the date of realization;

(4) that the defendants do pay a sum of **Rs.2,99,500/-** (Rupees Two Lakhs Ninety Nine Thousand and Five Hundred only) to the plaintiff being the cost of the suit to the extent of decretal value, noted below.

MEMO OF COST

| Cost on (To the extent of decretal Value) | Plaintiff side | Defendants side |
|--|-------------------|----------------------------|
| Stamp on the plaint | 222,155.00 | |
| Stamp on the Vakalath | 10.00 | |
| Stamp on process | 35.00 | |
| Suit pre/reply notice charges | 200.00 | - Cost list is not filed - |
| Preparing Proof affidavit | 500.00 | |
| Adv. Fee - Senior | 76,600.00 | |
| Total (Rs.) | 299,500.00 | |

Given under my hand and the seal of this court this the 18th Day of March 2026.

sd / **Tr. K.Hariharan, M.L.,**
 Judge,
 Commercial Court,
 (District Judge Cadre)
 Coimbatore