UPLOADED ON 15.04.2026

IN THE COURT OF PRINCIPAL COMMERCIAL COURT,
EGMORE, CHENNAI

Present: Thiru. S.GANAPATHISAMY, B.A.B.L.,
Principal Judge

Dated this 15th day of April 2026, Wednesday

I.A.No. 5 / 2025 in C.O.S. No.1821 / 2022

M/s. Ravi Kapoor,
Proprietor,
RKL Printers,
No.8/13, Vallabha Agraharam Street,
Triplicane,
Chennai -600005. Petitioner/Plaintiff

-Versus-

1. Compagnie Commerciale et Industrielle
Z.A. le Terminal
1 rue Maximillien Robespierre
F 93135
Noisy-Ie- Sec Cedex
France.

2. CMA CGM Container Lines,
represented by their agents,
CMA CGM Agencies India P. Ltd,
No.118, Dr. Radhakrishnan Salai,
Chennai – 600 004.

3. A. HARTRODT,
represented by their agents Ocean links shipping,
No.23, Sir P.M.Road,
Fort Mumbai 400 001
and at Shop No.15,
SM Plaza,
No.45, Armenian Street,
Chennai – 600 001.

4. Container Corporation of India Ltd,
Sethangadu Village,
Tiruvatriyur,
Chennai – 600 019. Respondents/Defendants

This Petition coming on this day for final hearing on 24.03.2026 before me in the presence of M/s. S. Raghunathan, learned counsel for petitioner/plaintiff , the Respondents 1 to 4 having been set ex parte and upon perusing the documents and on hearing the petitioner /plaintiff side and having stood over for consideration till this day, this court today delivers the following:

ORDER

1. The Petitioner/Plaintiff has filed this application under Order IX Rule 9 read with Section 151 of the Civil Procedure Code to restore the suit, which was dismissed for default on 26.02.2025 for non-appearance of the Plaintiff inter alia alleging that after dismissal of amendment petition filed by the Petitioner in I.A.No. 2 of 2023, the case was posted for trial on 26.02.2025 and as the Petitioner was suffering with severe viral infection five days prior to the appointed date, he was not able to appear before the Court and his counsel unaware of health condition of the petitioner

sought for an adjournment and this Court has dismissed the suit.

2. The Respondents have not filed their counter and they were set ex parte.

The Point for consideration in this application is

3. Whether the suit can be restored?

4. The Counsel for the petitioner was present and filed a memo. The plaintiff was absent . The Court rejected the memo and dismissed the suit for default. The reason for non appearance of the petitioner on 26.02.2025 is sufficient and he has filed this application within the period of limitation. This Court thinks fit to give an opportunity to the petitioner to prosecute the suit and get adjudication on merits. Considering the facts and circumstances of the case , this application will be allowed on payment of cost of Rs.15,000/- by the petitioner/plaintiff to Chennai District Mediation Centre on or before 10.06.2026 failing which the application will stand dismissed. Call on 11.06.2026.

In the result, this application will be allowed on payment of cost of Rs.15,000/- by the petitioner/plaintiff to Chennai District Mediation Centre on or before 10.06.2026 failing which the application will stand dismissed. Call on 11.06.2026.

Dictated by me to the Steno-Typist, directly typed by him in the computer, corrected and pronounced by me in the open court, this 15th day of April 2026.

GANAPATHI SAMY

Digitally signed by GANAPATHI SAMY
Date: 2026.04.15 17:52:55 +0530

Principal Judge
Principal Commercial Court
Egmore, Chennai,

Draft/ Fair Order in
I.A.No.5 of 2025
in
C.O.S.No.1821 /2022
Date: 15.04.2026

Principal Commercial Court,
Egmore, Chennai.