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A No. 1949 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

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THE HON'BLE MR.JUSTICE K.KUMARESH BABU

A No. 1949 of 2026

IN

C.S(COMM DIV) NO. 61 OF 2026

Ms Odaku Online Services Private Limited
Represented by its Director Founder Mr Xavier
Lawrance
B-12 K A Koil Street, Alagiri Nager, Saligramam,
Chennai, Tamilnadu

..Applicant(s)

Vs

1. Mr.Binu, trading as “Kadal Map”
Excel Technologies,
II Block, Carmel Complex,
Nagercoil-629004,Tamil Nadu.
2. Mr.Rejini
S/o Immanual alias Commaan, No. 1, Colachel,
Near Ration Shop,Behind St. Marys Middle
School Old School,Port Street,
Colachel,Kanyakumari, Colachel

..Respondent(s)

PRAYER:- Application filed to pass an order of appointing an Expert directing him/her to inspect the backend data of Applicants and the 1st Respondent's apps and analyse the logs, and prepare report, summaries, inventories of the same.

For Applicant(s): Mr.Ramesh Ganapathy

For Respondent(s): Mr.N.R.Srinath



ORDER

The present Application has been filed to appoint an Expert directing him/her to inspect the backend data of Applicants and the 1st Respondent's apps and analyse the logs, and prepare report, summaries, inventories of the same.

2. Heard both sides.

3. Learned counsel appearing for the applicant would submit that on compiling and curating marine datas such as geospatial records, the applicant had developed an App for the benefit of the fishermen society at large. He would submit that the first respondent had gained unauthorised access to applicant's backend systems and had started to commercialy exploit the applicant's proprietary datas. He would contend that the second respondent was a subscriber of the applicant and related to the first respondent, who was used as a conduit to gain unauthorised access to the applicant's backend system. In such an event, it would only be appropriate to appoint an expert to inspect the backend data as well as the first respondent Apps and submit a Report on such analysis for better appreciation of the facts on record. Hence, he seeks an appointment of Expert as prayed for.

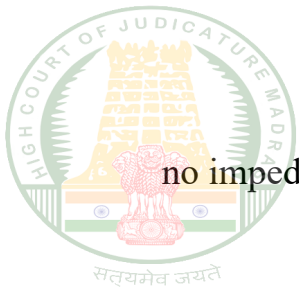
4. Learned counsel appearing on behalf of the respondents on the other



hand would submit that not only the applicant had filed the present suit. He had also initiated criminal proceedings on the allegations that there has been a violation of the copy right of the applicant and the same is also being contested by the respondents. He would further submit that an Expert opinion had also been relied upon by the applicant and no reasons have been attributed as to why an Expert ought to be appointed by this Court. He would further submit that the first respondent's App in no manner infringe the copy right of the applicant and it is for the applicant to substantiate that there has been an infringement of the copy right made by the respondents. Hence, he seeks dismissal of the Application.

5. I have considered the submissions made by the learned counsels appearing on either side and perused the materials available on record before this Court.

6. The allegation of the applicant is that his copy right in his App had been infringed by the first respondent through the second respondent. In a counter filed in the application for injunction, the first respondent had contested the Expert opinion that is sought to be relied upon in the plaint documents to be completely false and having many contradictory statements. When the independent Report of the Expert as relied upon by the applicant is sought to be challenged as being contradictory, this Court is of the view that there would be



no impediment in appointing an Expert as prayed for.

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7. Accordingly, the Dean, IIT Madras, is requested to appoint an Expert to analyse the App of the applicant as well as the first respondent and file a Report in that regard, particularly with regard to the allegations of copy right and data theft by the first respondent. The applicant shall bear the costs of the Expert.

29-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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K.KUMARESH BABU, J.

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