

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2016

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

C.S.No.709 of 2010

M/s. Samarth Creations
Rep. by its Proprietor
Mr.Gopi Shastri
at No. 26, 5th Cross K.R.Road
7th Block West, Jeyanagar
Bangalore

Represented by Power of Attorney Agent

Mr.R.Selvakumar

... Plaintiff

Vs.

1. Mr.G.Bhoopathi Pandian

2. M/s. S 3 Films
represented by Mr.S.Jayakumar

3. Mr.S.Jayakumar

4. Mrs. Meena Jayakumar

... Defendants

PRAYER : This Civil Suit filed under Order IV Rule 1 O.S. Rules and Order VII Rule 1 CPC, praying for the following reliefs:

(a) directing the first defendant to pay a sum of Rs.2,82,669/- being the advance project cost of Rs.99,000/- together with accrued interest payable thereon from 15.06.2005 to till date to the plaintiff and further interest at 12% p.a., from the date of plaint and till the date of realisation.

(b) directing the first defendant to pay a sum of Rs.23,00,000/- being the compensation for the loss of income suffered by the plaintiff;

(c) pass a decree for a permanent injunction restraining the defendants herein, their men, agents, servants and any one claiming under them from releasing the Tamil Film "Kadhal Solla Vandhen" on 13.08.2010 or on subsequent dates; and

(d) Award the cost of the suit.

For Plaintiff : No appearance

J U D G M E N T

The matter has been posted before this Court today under the caption 'for dismissal'.

2. The learned Additional Master No.IV had noted that the plaintiff has not appeared before him consecutively for recording of evidence. The defendants had also been set ex-parte. However, the petitioner has not appeared before the learned Additional Master No.IV for tendering his evidence. Hence, this Civil Suit is dismissed for non-prosecution. No costs.

16.11.2016

vsg

C.V.KARTHIKEYAN ,J.

vsg

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