

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 28.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

C.S.No.574 of 2009

The Indian Institute of Architects,
Tamil Nadu Chapter,
Rep. By its Chairman
Prof. Fenn Rajaratnam

... Plaintiff

Versus

1. Prompt Publications & Trade Fairs
Rep. By its E. Udayakumar
2. Tamil Nadu Trade Promotion Organisation
Rep. By its Managing Director
K.S.Kandaswamy

3. The Coimbatore District Small Industries
Association

rep. By its President

... Defendants

PRAYER : The Civil Suit filed under Order VII Rule 1 of Civil Procedure Code Order IV Rule 1 of O.S. Rules praying for the following reliefs :

a) Directing the 1st Defendant to pay a sum of Rs.25.00 lakhs towards damages caused by the 1st defendant for spoiling the reputation and for mental agony and sorry suffered by the Members of the Plaintiff-Association and for using the name and logo of the plaintiff by the 1st defendant without the permission and consent of the plaintiff, with interest at the rate of 12% per annum from the date of the Complaint till the date of realisation.

b) For permanent injunction restraining the 1st defendant from organizing the India-International Building Expo 2009 either at Chennai

and Coimbatore as proposed by him or at any other place, either on 11th, 12th and 13th of July 2009 at Chennai Trade Center and 19th, 20th and 21st September 2009 at Codissia, Coimbatore or at any other subsequent dates, by using the name and logo of the plaintiff and or using the words “in association with” the plaintiff.

c) Permanent Injunction restraining the 2nd defendant from promoting the India-International Build Expo 2009 Exhibition by the 1st defendant by using the name and logo of the plaintiff and using the words “in association with” the plaintiff at Chennai Trade Centre, Chennai, either on 11th, 12th and 13th of July 2009 or at any other subsequent dates.

d) Permanent Injunction restraining the 3rd defendant from promoting the India-International Build Expo 2009 Exhibition by the 1st defendant by using the name and logo of the plaintiff and using the words “in association with” the plaintiff, at Codissia, Coimbatore, either on 19th, 20th and 21st of September 2009 or at any other subsequent dates and

e) Award the cost of the suit

For Plaintiff : No appearance

For Defendants : Mr.P.Babu

J U D G M E N T

Earlier, when the suit was taken up for hearing on 13.02.2017, there was no representation on behalf of the plaintiff, therefore, this Court requested to issue notice to the plaintiff indicating the date of hearing on 21.02.2017 under the caption “for dismissal”.

2. Thereafter on 21.02.2017, when the suit was taken up for hearing, there was no representation for the plaintiff and the matter was

posted on 28.02.2017 under the caption “for dismissal”.

3. Even today, when the suit is taken up for hearing there is no representation for the plaintiff and it is seen that the plaintiff is not interested in prosecuting the suit.

4. Therefore, the suit is dismissed for non prosecution. No costs.

28.02.2017

Index:yes/no
Internet:yes
vsi2

C.V.KARTHIKEYAN, J.

vsi2

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<http://judis.nic.in>