

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 09.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

C.S.No.820 of 2010

1. M/s.Sree Gokulam Chit and Finance
Company Ltd.
Represented by its Managing director
Mr.A.M.Gopalan

2. A.M.Gopalan

Versus

... Plaintiffs

1.P.Sugathan
Tottahil Dairy Farm, Panthuvilla,
Kaduavahannoor (Po),
Trivandrum District,
Kerala.

2.Vellapally Natesan
Managing Editor,
Yoganadam,
Kollam,
Kerala.

3.K.P.Sundarlal
Chennai Thiyya Ezhava society new Bulletin
Chennai Thiyya Ezhava Society Charitable Trust,
Medical Education and cultural Society,
Saayoojayam
First Floor, No.430, th link Road,
V Main Road,
Mahakavi Bharathi Nagar,
Vyasarpadi,
Chennai – 600 039.

4.M/s.Cochin Printec (P) Ltd.
 Represented by its Managing Director
 Eloor, Kochi.

5. N.Sathiaseelan

... Defendants

PRAYER : The Civil Suit filed Under Order VII Rule 1 Civil Procedure Code read with Order IV Rule 1 of the High Court, Madras Original Side Rules, 1956 for the following reliefs :-

a. Directing the defendants to pay a sum of Rs.50,00,000/- (Rupees fifty lakhs only) towards the damages for the loss of business and for lowering the reputation of the plaintiffs in the eyes of the right minded people by publishing the defamatory article in the December 01-15, 2009 issue of the YOGANADAM;

b. granting permanent injunction restraining the defendants from indulging in acts of defamation lowering the esteem of the plaintiffs in the eyes and minds of right minded people;

c. directing the defendants to pay the costs of the suit.

d. for cost of the Suit.

For Plaintiffs : No appearance

For Defendants : M/s.R.T.Shyamala for D1 and D2
 M/s.V.Raghavachari for D3

J U D G M E N T

The issues in the suit were framed on 24.06.2011 and the plaintiff and defendants were directed to appear before the learned Additional Master II - for evidence. From the year 2011, evidence has not been recorded. Finally, when the matter was posted before this

Court on 19.12.2016, once again a direction was given to commence recording of the evidence on 03.01.2017. The proceedings of the learned Additional Master - IV reveals that the plaintiff did not appear on 03.01.2017 and again on 04.01.2017. As directed the plaintiff did not avail the opportunity and the matter was posted before this Court on 06.02.2017. Today, the matter was posted under the caption "for dismissal". Again there is no representation on behalf of the plaintiff. Therefore the suit is dismissed with costs of Rs.10,000/- each for the first and third defendants. Defendants 1 and 3 presence are marked.

09.02.2017

Index:yes/no
Internet:yes
vsi2

C.V.KARTHIKEYAN, J.

vsi2

Judgment in
C.S.No.820 of 2010

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<http://www.judis.nic.in>