

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

C.S.No.303 of 2006

Dhayanithi Maran

... Plaintiff

Vs

1.Vaiko

2.P.Krishnamoorthy  
Editor and Printer Dinamalar Tamil Daily

3.Dr.Lakshmipathi  
Publisher Dinamalar Tamil Daily

4.Mavis Sat.Com. Ltd,  
rep by its Managing Director

... Defendants

Prayer:- This Civil Suit is filed under Order II and IV(i) of the OS Rules 1956 and Order VII Rule 1 of the CPC praying for :  
(a)directing the first defendant to pay the plaintiff in the sum of Rs.1,00,00,000/- (rupees one crore only) with subsequent interest at 9%p.a. from the date of the suit till payment; (b)restraining the 1st defendant by an order of permanent injunction from in any way making any speech or giving any statement orally or in writing against the plaintiff in respect of the matters stated in the para 4

above viz., (1)Cancellation of the licence given to M/s.Raj Television Network (2) alleged payment of Rs.10crores to Sub TV by BSNL for advertisements (3)the application for grant of license to M/s.Jaya TV and (4)reduction of licence fee from Rs.100crores to Rs.2.5crores for National Long Distance and for international long distance licences; (c)Directing the defendants 2 and 3 jointly and severally to pay to the plaintiff in the sum of Rs.1,00,000/- (Rupees one lakh only) with subsequent interest at the rate of Rs.9% per annum from the date of suit till payment; (d)directing the defendant to pay to the plaintiff in the sum of Rs.1,00,000/- (rupees one lakh only) with subsequent interest at the rate of 9%p.a. from the date of suit till payment and (e)directing the defendants to pay cost to the plaintiff.

For Plaintiff : Mr.J.Ravindran

For Defendants : Mr.G.Devadoss for D1.  
Mr.K.J.Rebello for D2 and D3.  
Mr.R.Loganathan for D4.

### **J U D G M E N T**

The recording of evidence has not been completed and till date steps not taken to record the evidence.

2. The learned counsel for the plaintiff represented that he has filed application for recording secondary evidence.

3. This Court, on 08.08.2016 directed the plaintiff to take out an application for recording secondary evidence. On perusal of the records, it is seen from the endorsement made by the Registry, that the application has been taken out by the plaintiff on 12.08.2016 and the same was returned on 16.08.2016, till date the plaintiff has not taken any steps to represent the returned application, which shows the plaintiff is not showing any interest to proceed further. Hence, the suit is dismissed for default. No costs.

**01.02.2017**

Index:Yes/No  
Internet : Yes/No  
tsh

**P.VELMURUGAN.J,**

tsh

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