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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 2ND DAY OF AUGUST 2021

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

A.No.480 of 2003

in

C.S.No.845 of 2002

1.L.G.Varadarajulu

2.Dark Horse Portfolio Investment Limited (*)

3.M/s.ELGI Ultra Industries Ltd., : Plaintiff

Amended as per order dt.19/7/2021 in App.No.2319/2021 (*)

Vs

Minit Engineers (I) Pvt. Ltd.,
10-A, Mariamman Koil Street,
Vairapalayam, Erode,
Tamil Nadu-638 003.

: Defendant

A.No.480 of 2003

1.L.G.Varadarajulu

166/B Tea Estates compound Race Course, Coimbatore

2.M/s.Premier Industrial Drives (P) Limited
India House, Trichy Road,
Coimbatore 641 018.

3.M/s. ELGI ULTRA INDUSTRIES LIMITED
India House, Trichy Road,
Coimbatore 641 018.

.. Applicant

Vs



Minit Engineers (I) Pvt. Limited
10-A Mariamman Koil St.,
Vairaalayam, Erode
Tamil Nadu 638 003.

..Respondent

Application praying that this Hon'ble Court be pleased to grant interim orders of delivery up upon oath, of all casts, dies, apparatus relating to manufacture of table top wet grinders by the respondents, their servants, agents and assigns that in any manner have infringed or have been manufactured in accordance with Patent No.179607 and Design No.163445 and 163446 and verification upon oath that the respondents do not have in their possession, power, control or custody and such infringing casts, dies or apparatus pending disposal of the suit.

This Application coming on this day before this court for hearing, the Court made the following order:

The relief sought for in this Application is as follows:

*“To grant interim orders of delivery up upon oath,
of all casts, dies, apparatus relating to manufacture of
table top wet grinders by the respondents, their servants,
agents and assigns that in any manner have infringed or
have been manufactured in accordance with Patent
No.179607 and Design No.163445 and 163446 and
verification upon oath that the respondents do not have*



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in their possession, power, control or custody any such infringing casts, dies or apparatus pending disposal of the suit.”

2. Considering the very nature of the relief, it cannot be granted as an interim order. Hence this application is dismissed.

Sd./-R.S.M.J
02.08.2021

//Certified to be true copy//
Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

Jj 11/08/2021