



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 31ST DAY OF AUGUST 2021

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

C.S.No.483 of 2003

C.S.No.483 of 2003:-

M/s.Apollo Meters Pvt Ltd.,
Rep.by its Managing Director,
Mr.Mohammed Ismail Mohammed Gany,
24, Rengaanathan Street,
Hasti Tower, 1st Floor,
A-Flat, T.Nagar,
Chennai – 600 017.

... Plaintiff

Versus

M/s.Thiruvenkata Konar Company,
93, Bazar Street,
Periyakulam,
Theni District.

... Defendant

Civil Suit praying that this Hon'ble Court be pleased to pass a
Judgment and Decree:

(a) Granting a PERMANENT INJUNCTION restraining the
defendant by themselves, their servants, agents or any one claiming through
them from manufacturing, selling, offering for sale, directly or indirectly
dealing in Flow Control Value device made on the basis of dismantling the
plaintiff's invented 'Flow Control Valve' and made out of working drawings



infringement of plaintiff's Engineering Drawings of their 'Flow Control Valve' device made there from;

(b) Directing the defendant to surrender to the plaintiff all the unused pirated 'Flow Control Valve' device together with dies and blocks for the purpose of manufacturing the same for destruction;

(c) Directing the defendant to pay the plaintiff the costs of the suit;

This civil Suit coming on this day before this court for hearing in the presence of Mr.R.Subramanian, Advocate for the defendant herein and the plaintiff herein not appearing in person or by an Advocate and upon reading the plaint filed herein and **it is ordered as follows:-**

(i) That the suit in C.S.No.483 of 2003 be and is hereby is dismissed for non-prosecution.

(ii) That there shall be no order as to costs in this Civil Suit;

WITNESS, THE HON'BLE MR.JUSTICE SANJIB BANERJEE, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 31ST DAY OF AUGUST 2021.

Sd./-

ASSISTANT REGISTRAR (Comm.Cases)

//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.



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07/10/2021

3

C.S.No.483 of 2003

ORDER

DATED :31/08/2021

THE HON'BLE MR.JUSTICE
R.SUBRAMANIAN

FOR APPROVAL: 12/10/2021

APPROVED ON:20/10/2021



WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2021

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.S.No.483 of 2003

M/s. Apollo Meters Pvt Ltd,
Represented by its Managing Director,
Mr. Mohammed Ismail Mohammed Gany,
24, Ranganathan Street,
Hasti Tower, 1st Floor,
A-Flat, T.Nagar,
Chennai – 600 017.

...Plaintiff

Vs.

M/s. Thiruvenkata Konar Company,
93, Bazar Street,
Periyakulam,
Theni District.

...Defendant

PRAYER:Plaint filed under Order IV Rule 1 of the Original Side Rules and Order VII Rule 1 of the Code of Civil Procedure and Section 55 of Copyrights Act, 1957 praying for a judgment and decree:

(a) Granting a permanent injunction restraining the defendant by themselves, their servants, agents or any one claiming through them from manufacturing, selling, offering for sale, directly or indirectly dealing in



invented 'Flow Control Valve' and made out of working drawings from the sketches of such dismantled product which amounted to infringement of plaintiff's Engineering Drawings of their 'Flow Control Valve' device made therefrom.

(b) Directing the defendant to surrender to the plaintiff all the unused pirated 'Flow Control Valve' device together with dies and blocks for the purpose of manufacturing the same for destruction and

(c) directing the defendant to pay the plaintiff the costs of the suit.

For Plaintiff : No appearance

For Defendant : Mr.R.Subramanian

J U D G M E N T

Mr.N.R.Srinath, learned Counsel appearing for the plaintiff would submit that they have returned the papers long back. No new counsel has been engaged.

2. Hence, the suit is dismissed for non-prosecution. No costs.

Sd./-R.S.M.J
31.08.2021



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List of the witnesses examined on the side of the plaintiff: Nil

List of Exhibits marked on the side of the plaintiff : Nil

List of the witnesses examined on the side of the defendant: Nil

List of Exhibits marked on the side of the defendant: Nil

Sd./-R.S.M.J
31.08.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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