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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 14TH DAY OF SEPTEMBER 2021

THE HON'BLE DR. JUSTICE G.JAYACHANDRAN

C.S. No.960 of 2016

M/s.Novex Communications Pvt Ltd.,
Rep by its General Manager Operations,
Mr.N.Gopalakrishnan,
B/301, Remi Biz Court,
Plot No.9, Shah Industrial Estate,
Off Veera Desai Road,
Andheri (Wesst) Mumbai – 400 058.

... Plaintiff

Versus

Hotel Westin Velachery,
Represented by its General Manager,
154, Velachery Main Road,
Chennai – 600 042.

... Defendant

Civil suit praying that this Hon'ble Court be pleased to pass a judgment and decree:

(a) For permanent injunction restraining the Defendants, their men, partners, directors, employees, agents, servants, assigns, heirs, successors assignees, licensees, representatives or any person claiming through them or acting on their behalf or any other person claiming through/under them from in any manner publicly performing or communicating the sound recordings works of the Plaintiff to the public or allowing their premises or any



from the Plaintiff or in otherwise infringing copyright in any work Assigned to the Plaintiff.

(b) Costs of the suit.

This Civil Suit coming on this day before this court for hearing in the presence of Mr.P.V.Balsubramaniam Advocate for the plaintiff herein and upon reading the plaint filed herein and this court having observed that the plaintiff is not interested in pursuing the case and **it is ordered as follows:-**

(i) That the suit in C.S.No.960 of 2016 be and is hereby dismissed for default.

(ii) That there shall be no costs in this suit.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 14TH DAY OF SEPTEMBER 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.



VSP

06/10/2021

C.S. No.960 of 2016

ORDER

DATED : 14.09.2021

THE HON'BLE DR.JUSTICE
G.JAYACHANDRAN

FOR APPROVAL:12/10/2021

APPROVED ON:21/10/2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2021

CORAM

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

C.S. No. 960 of 2016

M/S Novex Communications Pvt Ltd
Rep by its General Manager Operations
Mr. N. Gopalakrishnan
B/301, Remi Biz Court, Plot No.9
Shah Industrial Estate
Off Veera Desai Road
Andheri (West) Mumbai- 400 058

...Plaintiff

Vs

Hotel Westin Velachery
Represented by its General Manager
154, Velachery Main Road,
Chennai- 600 042

...Defendant

Prayer: Plaint filed under order IV Rule 1 of the original side Rules r/w order VII Rule 1 of the CPC and under Section 51,55,62 of the Copyright Act,1957 is praying to pass a judgment and decree:

a. For a permanent injunction restraining the Defendants, their men, partners, directors, employees, agents, servants, assigns, heirs, successors assignees, licensees, representatives or any person claiming through them or acting on their behalf or any other person claiming through/under them from

in any manner publicly performing or communicating the sound recordings



works of the Plaintiff to the public or allowing their premises or any premises under their control to be used for the said purpose without license from the Plaintiff or in otherwise infringing copyright in any work Assigned to the Plaintiff.

b. Costs of the suit.

For Plaintiff : Mr.P.V. Balsubramaniam

JUDGMENT

The plaintiff is not interested in pursuing the case. When the matter was listed on 09.07.2021, they reported that the parties have entered into compromise and memo of compromise will be filed. Despite granting two months time, the plaintiff has neither filed compromise memo nor pursuing further. Hence, the suit is dismissed for default. No costs.

Sd./-G.J.J
14.09.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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