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C.S.NO.269 OF 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2023

CORAM

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

C.S.NO.269 OF 2020

M/s.Fipola Retail (India) Pvt. Ltd.,
Door No.2B, ACS, 2nd Floor,
2nd Avenue, Anna Nagar,
Chennai – 600 040.
Rep. By its Managing Director
Mr.Sushil Kanugolu

.. Plaintiff

VS.

1.Mohammed Azeem
2.Mohammed Abid
3.Mohammed Aslam

.. Defendants

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

(a) Directing the defendants to jointly and severally pay the plaintiff a sum of Rs.1,00,00,000/- (Rupees One Crore Only) as damages for the injury caused to the plaintiff by the acts of defamation by the defendants along with interest at 18% per annum, from the date of filing of the suit till the date of realization;



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(b) Permanent injunction restraining the defendants, their agents, servants, employees, or anyone claiming under or through them, either directly or indirectly, posting or sending, forwarding, sharing, tweeting or retweeting in any manner, any posts, stories, tweets, in any social media sites or direct messaging sites including but not limited to whatsapp, facebook or twitter or engage with any print media on any defamatory content of whatsoever nature against the plaintiff or its Directors or representatives;

(c) Mandatory injunction directing the defendants 1 to 3 to immediately remove and delete all messages, posts, stories and tweets from any social media sites or direct messaging sites including but not limited to whatsapp, facebook or twitter, containing the statements defamatory to the plaintiff or Directors or representatives and publish statements of retraction and / or apology;

(d) Directing the defendants to pay the plaintiff's legal costs of the suit.

For Plaintiff : Mr.A.G.Sathya Narayana
Mr.N.V.Prakash
For Defendants : Mr.Tha.Sirish Chowdhary
for M/s.T.M.Naidu & Co.

J U D G M E N T

Despite the order dated 16.10.2020 passed by this Court in O.A.No.492 of 2020 and A.No.2403 of 2020 in C.S.No.269 of 2020, the plaintiff has not continued to pay the rent. In the said order, this Court has made it very clear that if they fails to deposit the rent amount, the Suit will be rejected summarily.

As the order dated 16.10.2020 of this Court has not been



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complied with, the Suit is rejected and whatever amount deposited, if any, by the plaintiff / tenant, the first defendant / landlord is at liberty to withdraw the same, as per law. No costs.

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Index : Yes/No
Neutral Citation: Yes/No
Speaking / Non-speaking order
TK

LIST OF WITNESSES EXAMINED ON THE SIDE OF THE PLAINTIFF – NIL
LIST OF WITNESSES EXAMINED ON THE SIDE OF THE DEFENDANTS – NIL

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N.SATHISH KUMAR, J.

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