



C.S. No.216 of 1999

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2024

Coram:

**THE HONOURABLE MR. JUSTICE P.VELMURUGAN**

C.S. No.216 of 1999

Little Flower Company  
represented by its Partner  
Mr.T.N.C.Venkatarangan  
43, Ranganathan Street, Theagaraya Nagar  
Chennai - 600 017

... Plaintiff

Vs.

1. Sri.Annai Publication  
"Vidyaashram"  
No.7, Arunachalapuram  
Second Street, Adyar, Chennai - 600 020

2. T.R.Ramesh  
"Vidyaashram"  
No.7, Arunachalapuram  
Second Street, Adyar, Chennai - 600 020

3. P.Sekar  
Nandan Offset  
3, Chockalingam Colony,  
Chennai - 600 086

... Defendants



C.S. No.216 of 1999

**Prayer:** The plaint is filed under Order VII Rule 1 of CPC read with Order IV Rule 1 of Original Side Rules and Sections 51, 55 and 62 of the Copy Right Act, 1957, praying to pass judgment and decree against the defendants on the following terms;

a. for a perpetual injunction restraining the defendants by itself/its partners, servants, agents, distributors, stockists, clearing and forwarding agents or any of them from in any manners infringing plaintiff's Copyright in the literary work 'LAKSHMI KUBERA POOJA KRAMAM' in any manner whatsoever.

b. A preliminary decree be passed in favour of the plaintiffs directing the defendants to render account of profits made by sale of the November 1998 issue of the magazine 'GNANA AALAYAM' and final decree be passed in favour of the plaintiff for the amount of profits thus found to have been made by the defendant, after the latter has rendered accounts.

c. The defendants be ordered to surrender to the plaintiffs for destruction of all goods, cartons, labels, blocks, dies, screen prints, pamphlets, brochures and



C.S. No.216 of 1999

other material containing the plaintiffs literary work

'LAKSHMI KUBERA POOJA KRAMAM'.

d. For costs of the suits.

For Plaintiff : Mr.S.K.Srinivasan  
For defendants : Set ex-parte on 12.08.2021

### **JUDGMENT**

The defendants in the present suit were already set ex-parte by this Court on 12.08.2021 and on the same day, in order to prove the case of the plaintiff, this Court had directed the Registry to place the matter before the learned Master on 26.08.2021 for recording ex-parte evidence. Though the case was pending before the learned Master for several years, the plaintiff never appeared before the learned Master and produced any evidence to prove their case. Hence, the learned Master by adjudication dated 30.04.2021, sent the matter back to this Court.



C.S. No.216 of 1999

WEB COPY

2. Even today (11.06.2024), when the matter is taken up for hearing, none appeared on behalf of the plaintiff which shows that the plaintiff is not interested to prosecute this suit. Therefore, this suit is dismissed for non prosecution. No costs.

**11.06.2024**

Index : Yes / No

Speaking Order : Yes / No

Neutral Case Citation : Yes/No

Ksa-2



WEB COPY



C.S. No.216 of 1999

**P.VELMURUGAN. J.**

Ksa-2

C.S. No.216 of 1999

11.06.2024