



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-03-2026

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THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

C.S(COMM DIV) No. 173 of 2025

&

O.A.No.692 of 2025

Elgi Ultra Private Limited
Registered office at
India House, New No. 1443/1, Trichy Road,
Coimbatore 641 018
Branch Office at
No. 14, Brindavan Street Extn West Mambalam
Chennai 600 033 Rep by its Managing Director
Mr. B. Balakrishnan

..Plaintiff(s)

Vs

Harish Joshi
MB 13, THDC Colony,
Kedarpuram, PO Defence Colony,
Dehradun, Uttarakhand-248001

..Defendant(s)

PRAYER: Complaint filed under Order VII Rule 1 CPC read with Order IV Rule 1 O.S.Rules read with Section 7 of the Commercial Courts Act, 2015, praying to grant a judgment and decree on the following terms:-

(a) Permanent injunction restraining the Defendant including his men, agents, representatives, correspondents, officers, employees and/or any other person, entity, from posting, making/spreading statements, orally or otherwise, about the Plaintiff, which is in any manner derogatory or defamatory to the Plaintiff's reputation or which in any manner cause disrepute to the plaintiff or maligns the plaintiff company in any manner whatsoever, including the comment dated 21.01.2025 posted on Plaintiffs promotional post dated 21.01.2025;

b) The defendant be ordered to pay to the plaintiff, a sum of Rs.10,00,000/-



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c) For entire costs of the suit.

For Plaintiff(s):

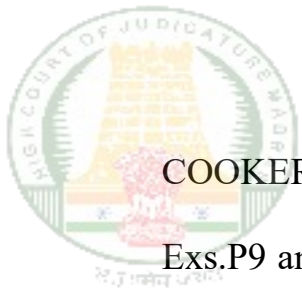
Ms.Rupikaa Srinivasan
for M/s. Arun C Mohan

JUDGMENT

This action was instituted to permanently restrain the defendant from making derogatory/defamatory statements and to direct payment of a sum of Rs.10 lakhs as damages.

2. The suit summons was served on sole defendant on 20.09.2025. Because the defendant failed to enter appearance in spite of service of suit summons, the defendant was set *ex parte* on 08.12.2025. Thereafter, the plaintiff adduced *ex parte* evidence by examining Mr.Ranendra Kumar Chanda as PW1. In course of the examination in chief of P.W.1, 15 documents were exhibited as Exs.P1 to P15.

3. Learned counsel for the plaintiff invited my attention to the first examination report of the patent office (Ex.P5), wherein the defendant's application was cited as prior art. She points out that said application was abandoned. She also refers to the grant on 19.09.2023 (Ex.P2) by the patent office in respect of an invention titled "A PREASURE REGULATOR CUM WHISTLE COUNTER FOR A PRESSURE COOKER AND A PRESSURE



COOKER WITH REGULATOR CUM WHISTLE COUNTER”. Relying on Exs.P9 and P10, which are certificates issued by the Chartered Accountant, she submits that considerable expenditure was incurred by the plaintiff on the above mentioned product and that said product has generated significant turnover. Referring to Exs.P11 and 13, she points out that the defendant has posted disparaging comments on the plaintiff’s facebook page.

4. The plaintiff has established that a patent was granted for the product referred to above. Any person interested has the statutory right to challenge a patent. In spite of having the option of filing either a post grant opposition or petition to revoke such patent, the defendant has not exercised these options till date. The option of seeking revocation remains open. Instead of resorting to these options, the defendant has made comments on the plaintiff’s facebook page that it is his innovation and patent idea.

5. Given the substantial sales of the plaintiff’s product, it is likely that this will affect the plaintiff’s reputation in the market. Therefore, the plaintiff is entitled to injunctive relief. In the absence of any evidence of consequential monetary loss or loss of reputation, I am not inclined to award damages. As the partly successful party, the plaintiff is entitled to costs. The defendant shall pay an aggregate sum of Rs.2 lakhs as costs to the plaintiff.



6. For reasons aforesaid, on the basis of evidence adduced by the plaintiff and in the absence of contra evidence from the defendant, the plaintiff is granted a permanent injunction restraining the defendant from making derogatory/defamatory statements relating to the grant under Ex.P2. This injunction will not stand in the way of the defendant applying for revocation, if so intended. The defendant is also directed to pay a sum of Rs.2 lakhs as costs towards court fee, lawyer's fees and other expenses. Consequently, O.A.No.692 of 2025 is closed.

18-03-2026

Neutral Citation: Yes/No

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Plaintiffs' witness:

1. Mr.Ranendra Kumar Chanda - P.W.1

Defendant's witness:

Nil

Documents exhibited by the plaintiff:

Exhibits	Description
Ex.P1	The original letter of authorization dated 29.01.2026.
Ex.P2	The colour photocopy of the certificate of patent grant No.452787 for the application No.201741016524 dated 11.05.2017.
Ex.P3	The web copy of the complete specification filed in



	Form-2.
Ex.P4	The Web copy of the claims and drawings as granted to the applicant name ELGI Ultra Industries limited dated 10.05.2017.
Ex.P5	The webcopy of the First examination report issued by the patent office dated 31.12.2020.
Ex.P6	The photocopy of the reply to FER issued by the plaintiff dated 26.06.2021.
Ex.P7	The web copy of the Extracts from the patent registry for patent under No.201741016524 dated 04.02.2025.
Ex.P8	The web copy of the advertisements of the plaintiff's products along with bills.
Ex.P9	The photocopy of the CA certificate of the promotional expenditure of the plaintiff's product dated 31.03.2025.
Ex.P10	The photocopy of the CA certificate of the sales turnover for the goods sold by the plaintiff's product dated 31.03.02025.
Ex.P11	The web copy of the emails dated 05.01.2025 and 10.01.2025 sent by the defendant to the plaintiff.
Ex.P12	The web copy of the screen shot of the plaintiff's face book page.
Ex.P13	The web copy of the screen shot of the plaintiff's promotional advertisement post dated 21.01.2025. Wherein the defendant had posted the comment.
Ex.P14	The office copy of the cease and desist notice issued by the plaintiff to the defendant dated 31.01.2025.
Ex.P15	The web copy of the email sent by the defendant to the cease and desist notice dated 31.01.2015.

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SENTHILKUMAR RAMAMOORTHY, J.

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