

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

C.S.No.474 of 2007

N.S.Enterprises
No.151, Bells Road,
Triplicane, Chennai – 600 005.
By its Prop.Mr.R.Sathyamoorthy

...Plaintiff

Vs.

Movie Land
Vijayalakshmi Complex II Floor,
59/60, Singanna Chetty Street,
Chintadripet, Chennai – 600 002.

...Defendant

PRAYER: Civil Suit is filed under Order VII Rule 1 of CPC r/w. Section 60 of the Copy Right Act 1957 praying

(a) for perpetual injunction restraining the defendant his men or agent or any body acting on his behalf from interfering in any manner with the schedule mentioned titled films and its songs

(b) to pass such further order or orders as this Court may deem fit and necessary in the circumstances of the case

(c) to pay the cost of the suit.

For Plaintiff : M/s.B.F.S. Legal

For Defendant : No appearance

JUDGMENT

No representation for the learned counsel for the defendant.

2. There was a specific direction given to the plaintiff to appear before the Master on 12.01.2017 for recording exparte evidence. The endorsement made by the Additional Master – I indicates that Plaintiff was absent inspite of specific direction of this court dated 05.01.2017. The Additional Master-I, therefore referred the matter to this court for appropriate orders. The course of conduct adopted by the plaintiff clearly shows that he is not interested to proceed with the trial. Since the suit was adjourned for the appearance of the plaintiff, the plaintiff should have taken the matter little seriously by representing the court for recording evidence. Therefore, I am of the view that the plaintiff is not interested to prosecute the suit.

In the result, the suit is dismissed for default. No costs.

23.01.2017

gv

P.VELMURUGAN.,J.
gv

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