

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 12TH DAY OF APRIL 2018

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

A. No.3043 of 2018
in
C.S. No.683 of 2006

C.S. No.683 of 2006:-

In the matter of Copyright
Act, 1956

and

In the matter of Telegu
version of Tamil Colour film
titled "VETTAIYADU VILAYADU"

Mr.V.Ramakrishna
Proprietor
M/s.S.S.Communications,
No.18/26, Elegant Apartment
Hindi Parchar Sabha, Chennai - 17

... Plaintiff

-Versus-

1. Mr.Manicam Narayanan
Proprietor
M/s.7th Channel Communications,
No.121, Dr.Radhakrishnan Salai,
Mylapore, Chennai 600 004.

2. Mr.Kaja Mydeen
Proprietor, M/s.Roja Combines
No.4 - A, 10th Avenue,
Ashok Nagar, Chennai - 83

3. D.Raaj Varma
Proprietor
M/s.Sri Venkateswara Cine Enterprises
Plot No.413, 2nd floor, road No.22
Jubilee hils, Hydrebad - 500 033.

4. M/s.Prasad Film Laboratories
No.58, Arunachalam Road, Chennai - 93. ... Defendants

A. No.3043 of 2018:-

Mr.Manicam Narayanan
Proprietor, M/s.7th Channel Communications,
No.121, Dr.Radhakrishnan Salai,
Mylapore, Chennai 600 004. ... Applicant/1st Defendant

-Versus-

1. Mr.V.Ramakrishna,
Proprietor,
M/s.S.S.Communications,
No.18/26, Elegant Apartment
Hindi Parchar Sabha,
Chennai - 17 ... 1st Respondent/Plaintiff
2. Mr.Kaja Mydeen
Proprietor, M/s.Roja Combines
No.4 - A, 10th Avenue,
Ashok Nagar, Chennai - 83
3. D.Raaj Varma
Proprietor
M/s.Sri Venkateswara Cine Enterprises
Plot No.413, 2nd floor, Road No.22
Jubilee Hills, Hyderabad - 500 033.
4. M/s.Prasad Film Laboratories
No.58, Arunachalam Road,
Chennai - 93. ... Respondents 2 to 4/Defendants 2 to 4

Application praying that this Hon'ble Court be pleased to pass order payment out of the sum of Rs.20,00,000/- (Rupees twenty lakhs only) from the amounts lying to the credit of the above suit in C.S. No.683 of 2006 by directing the Registrar General of this Hon'ble Court to issue a cheque favouring the applicant Mr.Manicam Narayanan for the sum of Rs.20,00,000/- (Rupees twenty lakhs only).

This application coming on this day before this court for hearing the court made the following order:-

A memorandum of compromise had been entered between the parties, which has been recognised by judgment dated 16.03.2018 in which a judgment and decree has been passed in accordance with memorandum of compromise. It was also mentioned that the memorandum of compromise shall form part of judgment and decree in each of the suits. That judgment was passed in three suits viz., C.S.No.168 of 2006, 683 of 2006 and 691 of 2006.

2. Among the terms of compromise arrived at between the parties, it was agreed that there shall be a deposit of Rs.85,00,000/- (Rupees Eighty Five Lakhs) to the credit of C.S.No.683 of 2006. This was by an order of the Division Bench dated 12.09.2008. In Clause 3 of the memorandum of compromise, it had been mentioned that the plaintiff in C.S.No.168 of 2006 is entitled to withdraw a sum of Rs.20,00,000/- (Rupees Twenty Lakhs). Accordingly, this application has been filed in C.S.No.683 of 2006. In the said suit, the applicant is the 1st defendant.

3. In view of the fact that this application is filed only pursuant to the memorandum of compromise entered into between the parties, which compromise has been recognised by this Court and pursuant to this a decree has also been passed, this application is allowed.

4. Office is directed to permit the plaintiff in C.S.No.168 of 2006 and 1st defendant in C.S.No.683 of 2006 viz., Mr.Manickam Narayanan, Proprietor, 7th Channel Communications to withdraw a sum of Rs.20,00,000/- on proper identification and acknowledgment. The cheque to be issued to the plaintiff on or before 17.04.2018.

Sd./-C.V.K.J

12/04/2018

//Certified to be true copy//

Dated at Madras this the day of 2018.

COURT OFFICER(O.S.)

JJ 13/04/2018

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.