

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.12.2018

CORAM :

THE HON'BLE MS. JUSTICE P.T.ASHA

C.S.No.892 of 2018
and
O.A.No.1223 of 2018

C.P.Sunil Raj,
 Proprietor,
 M/s.Mishri Movies,
 21/9, Cenetoph Road, Second lane,
 Alwarpet,
 Chennai - 600 018.

... Plaintiff

Vs.

1.M/s.Common Man Presents,
 Rep. By its Managing Partner,
 Mr.B.Ganesh,
 Having office at No.34/24, Rajendran Street,
 Thiru Nagar, Valsaravakkam,
 Chennai – 600 087.

2.M/s.Whole Wide World Films,
 Rep. By its Proprietor,
 R.Rathindran,
 Having office at:-
 2F, No.29, Lakshmi Apartments,
 First Seaward Road,
 Valmiki Nagar, Thiruvannamiyur,
 Chennai – 600 041.

3.M/s.Surabi Films,
 Rep. By its Partner,
 S.Mohan,
 Having Office at:-
 No.65/3, Pushpa Enclave,
 K.S.Nagar, School Road,
 Kolathur,
 Chennai – 600 099.

... Defendants

Prayer : Civil Suit filed under Order IV Rule 1 of Original Side Rules and Order VII Rule 1 of C.P.C. and Sections 55 & 62 of Copyright Act, 1955, praying to grant permanent injunction restraining the defendants, their men, agents, servants, assign or any person/s claiming through or under them from in any manner interfering with or infringing the plaintiff's copyright in the suit film "Idhu Vedhalam Sollum Kadhai", dubbing rights in Hindi, Bhojpuri and all other North Indian languages, more fully described in the schedule items hereunder inclusive of commercial, non-commercial, theatrical, non-theatrical, exploitation and distribution in all gauges, 35mm, 16mm, 8mm and all other formats including video parlours exhibition rights, video rights in all formats (including DVD, VCD, LD, HDVD, BluRay, Micro chips, pendrives, etc), cable TV rights, HITS (Headend in the sky) rights, OTT devices, rights surface transport rights, Sea-Borne, Rail-Borne, Air-Borne exhibition rights, all types of Television rights including satellite broadcasting rights in all formats, PAY TV, Free TV, DTH, Pay per view, Catch Up TV, Pay Channels, Terrestrial TV telecasting, subtitling rights in all languages, all types of mobile rights, telecom rights, all ringtones rights, clips rights, songs rights, all types of music rights (including publishing, sale, licensing, sub-licensing, sub-titling in all languages and overall commercial exploitation of music CDs, Cassettes, hard discs, Microchips, etc), mechanical synchronization rights, promotion rights, publicity rights, Doordarshan rights and all intellectual property rights and all other rights of the said film in all formats in all media and all convergence technologies rights and also all rights including all types of electric and electronic and digital media rights, whether digital and/or analogue, or any other means or modes of communication to public and/or in private, and all other rights in whatsoever manner including the future scientific advancement and technological rights

in respect of the suit film and to award the costs of this suit.

For Plaintiff : Mr.Kumarpal R.Chopra

J U D G M E N T

When the matter was called, learned counsel for the plaintiff/applicant requested permission of this Court to withdraw the suit as well as original application and made an endorsement to that effect.

2.The Typed Set of Papers, which has been filed today by the learned counsel for the plaintiff is returned to him at his request.

3. In view of the endorsement made by the learned counsel for the plaintiff/applicant, the suit and original application are dismissed as withdrawn. However, there shall be no order as to costs.

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28.12.2018

msv/mkn

Index : Yes / No

Internet : Yes / No

Speaking order / Nonspeaking order

P.T.ASHA, J.

msv/mkn



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