

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 29.01.2019

CORAM

THE HON'BLE MR.JUSTICE M.SUNDAR

C.S.No.405 of 2005

M/s.West Top Investments (India) Pvt. Ltd.,
rep. by its Director
Ghanshyam Hemdev
No.73, Nungambakkam High Road
Chennai - 600 034 ... Plaintiff

Vs.

1.Mr.S.Kiran Kumar
2.M/s.Vijaya Colour Laboratory
No.9-A, Kumaran Colony Main Road
Vadapalani, Chennai - 600 026 .. Defendants

This Civil Suit is preferred, under Sections 55 and 62 of the Indian Copyright Act, 1957 read with Order IV Rule 1 of O.S.Rules and Order VII Rule 1 of the Code of Civil Procedure, 1908 seeking a declaration that the plaintiff is the absolute owner of the limited copyrights viz., entire video Copyrights in all Video formats and dimensions including but not limited to VCD, DVD, Compact Disc, Laser Disc, Cable television, Web/Internet rights for entire world including India in the film Uzhaipali & Nammavar as per agreement dated 27.05.2000 for a period of 19 years from 27.06.2000; a permanent injunction restraining the defendants, their men, agents, servants or assigns from in any manner infringing the limited copyrights viz., entire video Copyrights in all Video formats and dimensions including but not limited to VCD, DVD, Compact Disc, Laser Disc, Cable television, Web/Internet rights for entire world including India in the film Uzhaipali & Nammavar and for costs of the suit.

For Plaintiff

: Mr.K.Harishankar

For Defendants : No appearance

JUDGMENT

Mr.K.Harishankar, learned counsel on record for sole plaintiff submits that he has instructions from the plaintiff to withdraw the suit. Saying so, learned counsel has made an endorsement in the suit file, which reads as follows:

'The plaintiff prays that the suit may be dismissed as withdrawn

Sd/-

Counsel for plaintiff'

2. Reiterating the aforesaid endorsement, learned counsel also submits, on instructions, that plaintiff is not insisting on refund of Court fees.

In the light of the aforesaid endorsement in the suit file and reiteration of the same, this suit is dismissed as withdrawn. There shall be no order as to costs.

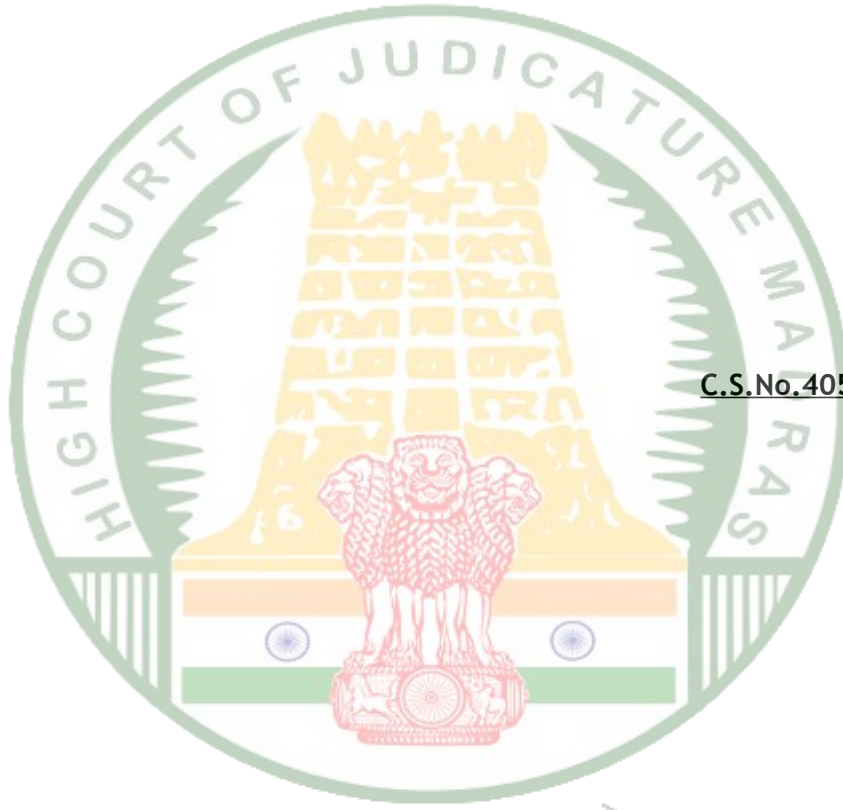
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