

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 29.01.2019

CORAM

THE HON'BLE MR.JUSTICE M.SUNDAR

C.S.No.413 of 2005

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

Vs.

1.Mr.G.Sathya

2.M/s.AVM Laboratories
7, N.S.K.Salai
Chennai - 600 026

3.M/s.Vijaya Colour Laboratory
No.9-A, Kumaran Colony Main Road
Vadapalani, Chennai - 600 026

4.Messrs Gemini Colour Laboratory
No.2, Vembuliamman Koil Street
Virugambakkam, Chennai - 600 092

5.M/s.Prasad Film Laboratories
58, Arunachalam Road
Chennai - 600 093

.. 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., Cable TV rights and Video Copyrights including VCD, DVD, Laser Disc etc. for entire India in the films described in the schedule to the plaint as per the agreement dated 02.11.2000 for perpetual period; a permanent injunction restraining the defendants, their men, agents, servants or assigns from in any manner infringing the limited copyrights viz., Cable TV rights and Video Copyrights including VCD, DVD, Laser Disc etc. for entire India in the films described in the schedule to the plaint as per the agreement dated 02.11.2000 for perpetual period and for costs of the suit.

For Plaintiff : Mr.K.Harishankar
For Defendants : Mr.V.Deenadayalan for D1
No appearance for D2 to D5

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'The plaintiff prays that the suit may be dismissed as withdrawn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In the light of the aforesaid endorsement in the suit file and reiteration of the same, this suit is dismissed as withdrawn.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.

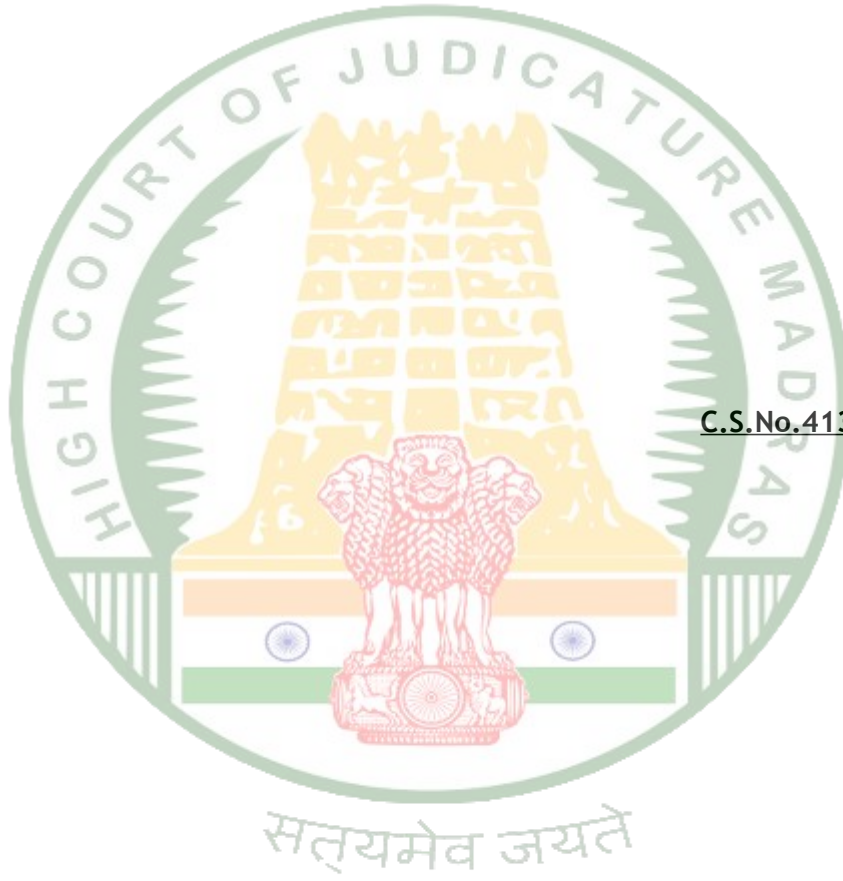
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M.SUNDAR, J.

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