

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.11.2019

CORAM

The Honourable Mr.Justice N.SATHISH KUMAR

C.S.No.14 of 2003

Mr.Su.Xavier,
13/2, Meeran Sahib Street,
Anna Salai,
Chennai-600 002

...Plaintiff

Versus

1.M/s.Rajalakshmi Cine Medias,
1/5, Ashok Avenue,
Kodambakkam,
Chennai-600 024

2.M/s.Siddharth Electronics,
rep. by Mr.Bhavarial,
1st floor, Bhaiya Arcade,
34/1, Wallers Road,
Chenna-600 002

3.The Regional Manager,
National Film Development Corporation,,
No.3, 4th street,
Nungambakkam High Road,
Chennai-600 034

4.The Director,
Prasar Barathi Broadcasting Corporation of India,
Doordarshan Kendra,

Chennai-600 005

5.M/s.Vijaya Colour Laboratory,
Vadapalani,
Chennai-600026.

...Defendants

This Civil Suit is filed under Order IV Rule 1 of O.S.Rules r/w Order VII Rule 1 & 2 of Code of Civil Procedure 1908 r/w. Sections 50 to 55 of Copyright Act, praying to (a) grant declaration, declaring that the plaintiff is the sole, exclusive copy right holder of the Tamil Cinematographic Colour Film "Pudhu Nilavu" starring Jayaram, Ramesh Arvind, Vinitha, Gowndamani, Sangavi, Senthil music by Deva and directed by Vishnu Hasan for a period of thirty years for telecasting the same in Indian Doordarshan All Channels as contemplated under the assignment dated 09.05.1996.

(b)grant a permanent injunction, restraining the defendants their men, agents, servants etc. from infringing and interfering with the copy right of the plaintiff in respect of the Tamil Cinematographic Colour Film "Pudhu Nilavu" by telecasting the same in Indian Doordarshan All Channels without the written consent of the plaintiff,

(c)to direct the defendants to pay costs of this suit.

For Plaintiff : No Appearance

For defendants :Mr.V.Deenadayalan, for D2
D1, D3 to D5 set ex-parte

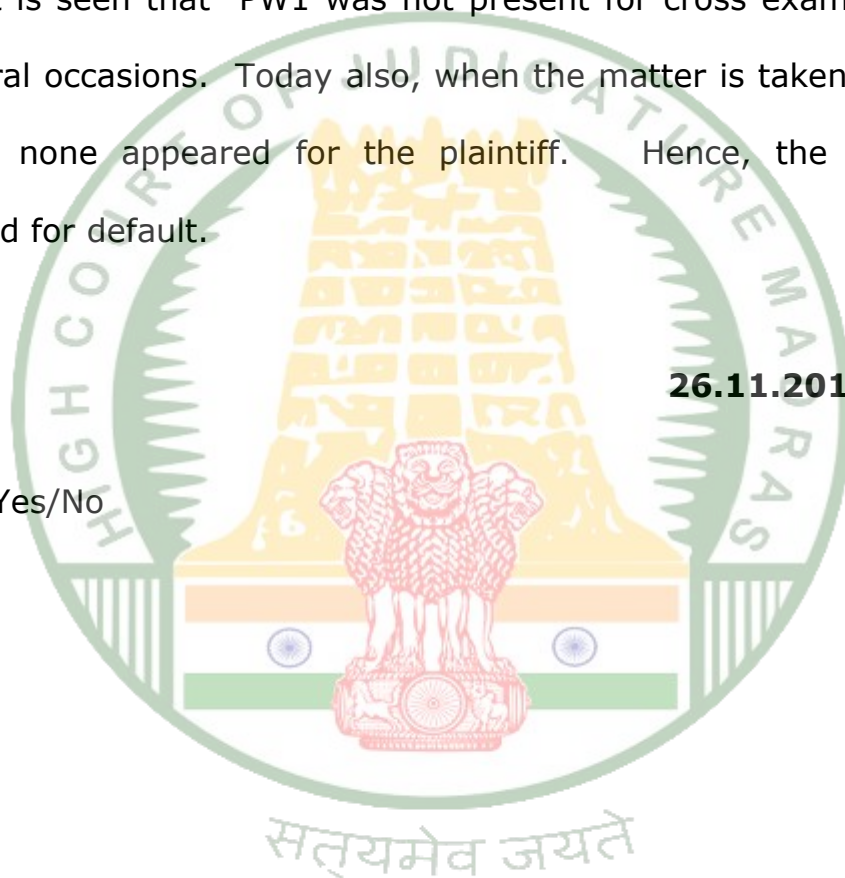
J U D G M E N T

It appears that the matter has been posted before this Court on the ground that PW1 was not present for cross examination despite several opportunities were given. On perusal of the notes paper, it is seen that PW1 was not present for cross examination on several occasions. Today also, when the matter is taken up for hearing, none appeared for the plaintiff. Hence, the suit is dismissed for default.

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Index : Yes/No

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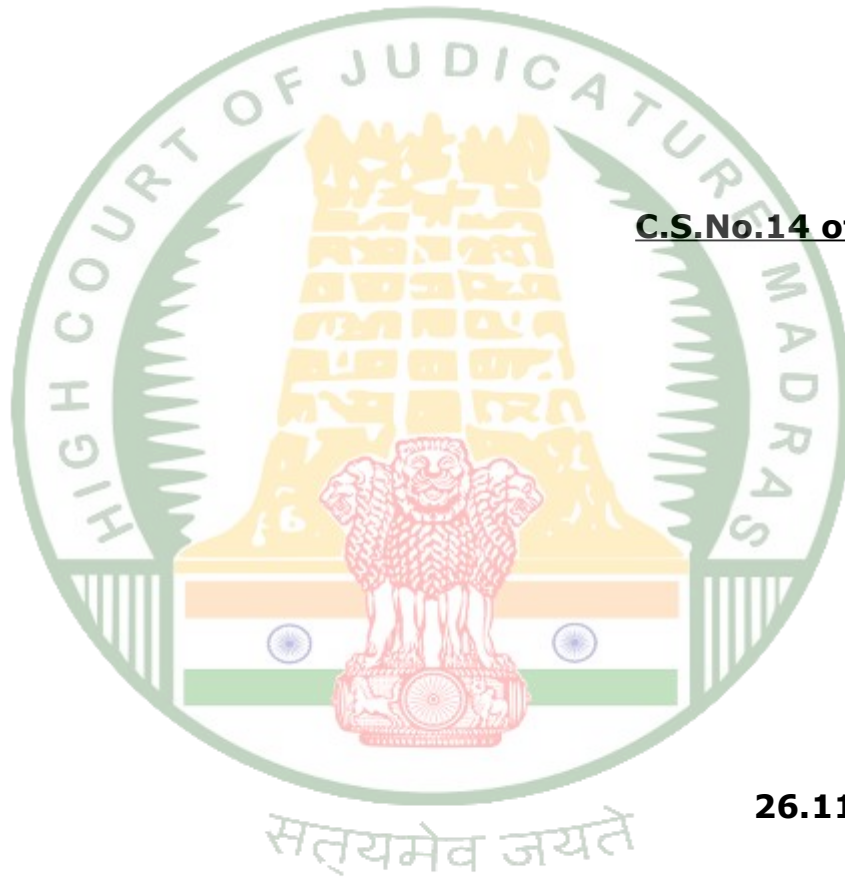


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N.SATHISH KUMAR, J.,

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