IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.07.2020

CORAM:

THE HONOURABLE DR. JUSTICE C.V.KARTHIKEYAN

C.S.No.222 of 2011
and
A.Nos.1850 to 1853 of 2011

Real Image Media Technologies Pvt.Ltd.
represented by:
Authorized Representative & Head-Legal
Mr.P.Murali Krishna
No.7B, III Street,
Balaji Nagar, Royapettah,
Chennai 600 014. .. Plaintiff

/versus/

1.S.Keerthi Shankar
Plot 21-B, II Street
G.V.Nagar
Vengaivaasal
Selaiyur
Chennai 600 073.

2. Prasad Productions Pvt.Ltd.
No.28, Arunachalam Road,
Saligramam
Chennai 600 093.

3. R.Karthikeyan,
No.15, Old No.8, Lakshmi Nagar IV Stage,
Chennai - 600 061. .. Defendants

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PRAYER: This Civil Suit is filed under Order VII Rule 1 of the Code of Civil Procedure read with Section 55 of the Copy Right Act, prayed for

(a) pass a judgment and decree of permanent injunction restraining the 1st and 2nd defendants, their men, agent/agents, or any person claiming through or under the 1st and 2nd defendants, from in any manner infringing the Copyright of the plaintiff over the "QUBE" software;

(b). Pass a judgment and decree of permanent injunction restraining the 1st defendant from breaching the "Employee Non-Competition, Non-Disclosure and Proprietary Information Agreement" dated 22.05.2006 entered into between the plaintiff and the 1st defendant;

(c). Pass a judgment and decree of mandatory injunction directing the 1st and 2nd defendants, their men, agent/agents, or any person claiming through or under the 1st and 2nd defendants to deliver and hand over to the plaintiff all data storage devices including PXD Digital Cinema Players, other servers,, computers, laptops, hard drives, Compact Discs (C.Ds,), Digital Versatile Discs (D.V.Ds.,) Portable Hard Drives, Memory Sticks, containing the "QUBE" software or a portion thereof, to the plaintiff;

(d). Pass a judgment and decree of mandatory injunction directing the 1st and 2nd defendants, their men, agent/agents, or any person claiming through or under the 1st and 2nd defendants to provide access to all online storage and E mail services used by the 1st and 2nd

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defendants containing the "QUBE" software or a portion thereof, to the plaintiff;

(e). Pass a judgment and decree directing the 2nd defendant to pay the plaintiff damages of a sum of Rs.1,28,00,000/- (Rupees One Crore and Twenty Eight Lakhs Only) or such other sum that may be assessed later;

(f). Award the plaintiff the costs of the suit and

(g). Pass such further or other orders as deemed fit and proper in the nature and circumstances of the case.

For plaintiff : Mr.P.R.Raman
For Defendants : Mr.R.Murari

JUDGMENT

On 15.06.2011, pursuant to the memo of compromise entered between the plaintiff and the second defendant, this Court passed a Judgment decreeing the suit in terms of the said memo compromised as against the second defendant. Now a memo had been filed by the plaintiff and signed by the learned counsel for the plaintiff stating that instructions have been received to withdraw the Suit.

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C.V.KARTHIKEYAN,J.,

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2. In view of the said memo, the Suit is dismissed as withdrawn. No order as to costs. Consequently, connected applications are closed.

23.07.2020

Speaking Order / Non-Speaking Order
Index : yes/no
kmm

To

Prasad Productions Pvt.Ltd.
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