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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 29TH DAY OF SEPTEMBER 2021

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

C.S.No.736 of 1997

and

O.A.Nos.797 and 798 of 1997

M/s.Lakshmi Prabha Production,
rep. by its Partner, S.Sridharan,
No.14, Brindavan Street,
Mylapore, Madras – 600 004.

... Plaintiff/Applicant

.Vs.

1. National Film Development Corporation,
No.3, Fourth Street,
Nungambakkam High Road,
Chennai – 600 034.
2. Muktha Films,
No.7, Vaidyaraman Street,
T.Nagar, Madras – 600 017.
3. M/s.Vidya Movies,
No.7, Vaidyaraman Street,
T.Nagar, Madras – 600 017.
4. Thenandal Films,
No.8, 80 Feet Road,
Thevar Thottam,
Madras – 600 093.
5. Sri Priya Movies,
No.8, 80 Feet Road,
Thevar Thottam,
Madras – 600 093.



6. O.K.Films,
829, Airlines Building, I Floor,
Anna Salai, Chennai – 600 002.

7. Om Sarvasiththi Combines,
No.31, Basaviah Street,
Washermanpet,
Madras – 600 002.

... Defendants/Respondents

C.S.No.736 of 1997

Civil suit praying that this Hon'ble Court be pleased to pass a judgement and decree

a) for a declaration that the plaintiff is the absolute copy right owner of the pictures morefully described in the Schedule hereunder with the right to exhibit, exploit, distribute and to telecast the said pictures in the Doordarshan Kendras in South India;

b) Consequentially for permanent injunction restraining the defendants, their agents and servants, executors and representatives and any person and every person claiming through or under them and/or authorized by them from intermeddling, interfering or infringing in any manner whatsoever in plaintiff's copy right in telecasting the schedule mentioned properties from Madras Doordarshan

c) the costs of the suit.



Original Application praying that this Hon'ble Court be pleased to grant interim injunction restraining the first respondent from parting with the royalty amount in respect of the Tamil feature film, “Kizhvanam Sivakkum” to the sixth respondent or his agents or servants or executors or representatives or any person and every person claiming through or under them pending disposal of the above suit.

O.A.No.798 of 1997

Original Application praying that this Hon'ble Court be pleased to grant an interim injunction restraining the respondents, their agents or servants, executors and representatives and any person and every person claiming through them or under them and/or authorised by them, from intermeddling or interfering in any manner whatsoever in respect of the applicant's copy rights in respect of the suit pictures having right to exhibit or exploit, and telecasting rights of the Applicant/Plaintiff to telecast the suit pictures viz; Kizhvanam Sivakkum from Doordarshan Kendras in South India, pending disposal of the above suit.

This Civil Suit along with these applications coming on this day before this court for hearing in the presence of Mr.Syed Akhram for
<https://hcservices.ecourts.gov.in/hcservices/>
Mr.P.L.Narayanan, advocate for the Plaintiff in C.S.No.736 of 1997 and for



the Applicant in O.A.Nos.797 and 798 of 1997 and upon reading the plaint filed in C.S.No.736 of 1997 and the Judges Summons and the affidavits of S.Sridharan filed in O.A.Nos.797 and 798 of 1997 and the learned Counsel for the plaintiff having submitted that the suit itself has become infructuous due to passage of time and this court doth recording the said submission and **it is ordered as follows:-**

That the suit in C.S.No.736 of 1997 be and is hereby dismissed as having become infructuous.

2. That these applications in O.A.Nos.797 and 798 of 1997 do stand closed.

3. That there shall be no costs in this suit.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
29TH DAY OF SEPTEMBER 2021.

Sd/-

ASSISTANT REGISTRAR (Comm.Cases)

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.



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CS.No.736 of 1997
and
O.A.Nos.797 & 798 of 1997

ORDER:

DATED : 29/09/2021

THE HON'BLE MR. JUSTICE
R. SUBRAMANIAN

FOR APPROVAL: 02/11/2021

APPROVED ON : 16/11/2021



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2021

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.S.No.736 of 1997

and

O.A.Nos.797 and 798 of 1997

M/s.Lakshmi Prabha Production,
rep. by its Partner, S.Sridharan,
No.14, Brindavan Street,
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... Plaintiff

.Vs.

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7.Om Sarvasiththi Combines,
No.31, Basaviah Street,
Washermanpet,
Madras – 600 002.

... Defendants

Plaint filed under Order IV Rule 1 of the Original Side Rules read with Order VII Rule 1 of the Code of Civil Procedure and Section 55 and 62 of the Copyrights Act praying for a decree and judgment for :

a) for a declaration that the plaintiff is the absolute copy right owner of the pictures morefully described in the Schedule hereunder with the right to exhibit, exploit, distribute and to telecast the said pictures in the Doordarshan Kendras in South India;

b) Consequentially for permanent injunction restraining the defendants, their agents and servants, executors and representatives and any person and every person claiming through or under them and/or authorized by them from intermeddling, interfering or infringing in any manner whatsoever in plaintiff's copy right in telecasting the schedule mentioned properties from Madras Doordarshan and

c) the costs of the suit.

For Plaintiff : Mr.Syed Akhram

for Mr.PL.Narayanan

**J U D G M E N T**

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Mr.Syed Akhram, learned counsel representing Mr.PL.Narayanan, learned counsel for the plaintiff would submit that the suit itself has become infructuous due to passage of time.

2. Recording the said submission of the counsel for the plaintiff, this suit is dismissed as having become infructuous. No costs. Consequently, the connected applications are closed.

List of the witnesses examined on the side of the plaintiff: Nil

List of Exhibits marked on the side of the plaintiff : Nil

List of the witnesses examined on the side of the defendants: Nil

List of Exhibits marked on the side of the defendants: Nil

Sd./- R.S.M.J.

29.09.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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