

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2021

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.S.No.520 of 1999

M/s.Bavaria International
No.3, Mada Church Road,
Mandavelipakkam, Chennai – 600 028,
rep. by Proprietor
Mr.L.Adaikalraj

...Plaintiff

.Vs.

1.Tamil Ponnie Art
No.41, Second Street,
Kumaran Colony
Vadapalani
Madras – 600 026.
rep. by its Power of Attorney
Holder Mr.Aabaavanan

2.Lakshmi Productions
No.52, Dr.B.N.Road
T.Nagar, Madras – 600 017.

3.Aabaavanan

... Defendants

Plaint filed under Sections 55 and 62 of Copyright Act read with Order XXXVII Rule 1 of the Original Side Rules praying for a judgment and decree for:

- a) permanent injunction restraining the defendants their men, agents or servants from in any manner infringing the plaintiffs copyright over the negatives (both sound and picture) of the cinematography Tamil full length feature film “Senthooora Poove” in 35 mm colour starring Vijayakanth, Ramki, Nirosha and others directed by P.R.Devaraj and
- b) to direct the defendants to pay the costs of the suit.

For Plaintiff : Mr.A.Umashankar

J U D G M E N T

The suit is one for injunction restraining the defendants from infringing the copyrights of the plaintiff over the cinematography film “Senthooora Poove”.

2. Heard Mr.A.Umashankar, learned counsel appearing for the plaintiff.

3. The suit itself is of the year 1999. The movie was released long back. The plaintiff is a financier who has obtained certain rights over the movie. Now, the movie itself has been released, I do not think that the suit survives.

4. Hence, the suit is dismissed under Rule 3(a) of Order XIII A of the Code of Civil Procedure as amended by the Commercial Courts Act, 2015, reserving the liberty to the plaintiff to take appropriate action if there is any violation in future. No costs.

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Index : No

Internet : Yes

Non-speaking order

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

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R.SUBRAMANIAN, J.

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