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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 15TH DAY OF SEPTEMBER 2021

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

C.S. No.911 of 2002

In the matter of The Indian Copyright
Act 1957

And

In the matter of the limited Copyright
Viz., the World satellite Television
Broadcasting Right in the picture
SAPHALYAM Malayalam-Colour

Anil Kumar Jain,
S/o.Mr.Sohanlal jain,
17, Vinayagapuram, 1st street,
MMDA Colony, Arumbakkam,
Chennai – 600 106.

... Plaintiff

Versus

1. N.Krishna Kumar (Unni)
Sole Proprietor
Kripa Films,
Cotton Hills,
Trivandrum -14.
2. A.Saleem,
Proprietor
Jananee Combines,
No.12, Kavarai Street, Vadapalani,
Chennai – 600 026.

... Defendants



Civil suit praying that this Hon'ble Court be pleased to judgement and decree against the defendants as follows:-

a) for a declaration that the plaintiff is the absolute owner of the limited copyright namely limited copyright namely World Satellite Television Broadcast, Direct to Home (Direct Satellite) Broadcast, Terrestrial Television Broadcast including all channels of Doordarshan Kendra including Movie Club(DD-4) all other rights connected therewith including exhibition of the picture by means of wireless diffusion and by wire for communication to the Public through television in the picture SAPHALYAM -Malayalam – Colour starring Suresh Gopi, Sangeetha, etc., and directed by G.S.Vijayan for 15 years from 28.04.1999.

b) for a permanent injunction restraining the defendants, their men, agents, assignees, servants, or any other person authorised by them from interfering or infringing the plaintiff's limited copyright namely the World Satellite Television Broadcast, Direct to Home (Direct Satellite) Broadcast, Terrestrial Television Broadcast including all channels of Doordharshan Kendra including Movie Club(DD-4) all other rights connected therewith including exhibition of the picture by means of wireless diffusion and by wire for communication to the Public through television in the picture SAPHALYAM-Malayalam-Colour starring Suresh Gopi, Sangeetha, etc.,



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c) for cost of the suit;

This Civil Suit coming on this day before this court for hearing in the presence of Ms.Raaja Mani for Mr. C.Ramesh & C.Balaji, Advocate for the plaintiff herein and the defendants not appearing in person or by an Advocate and upon reading the plaint filed herein and the learned counsel for the plaintiff would submit that the suit itself has become infructuous and seeks permission to withdraw the suit and this court doth recording the submission and, **it is ordered as follows:-**

(i) That the suit in C.S.No.911 of 2002 be and is hereby dismissed as withdrawn.

(ii) 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
15TH 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.



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04/10/2021

C.S. No.911 of 2002

ORDER

DATED : 15.09.2021

THE HON'BLE MR.JUSTICE
R.SUBRAMANIAN

FOR APPROVAL:12.11.2021

APPROVED ON:15.11.2021



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2021

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.S.No.911 of 2002

Anil Kumar Jain

...Plaintiff

.Vs.

1.N.Krishna Kumar (Unni)
Sole Proprietor
Kripa Films

2.A.Saleem
Proprietor
Jananee Combines

... Defendants

Plaint filed under Section 55 and 62 of the Copyright Act, 1957 read with Order IV Rule 1 of the Original Side Rules and Order VII Rule 1 of the Code of Civil Procedure praying for a judgment and decree against the defendants as follows:

a) for a declaration that the plaintiff is the absolute owner of the limited copyright namely World Satellite Television Broadcast, Direct to Home (Direct Satellite) Broadcast, Terrestrial Television Broadcast including all channels of Doordarshan Kendra including Movie Club (DD-4) all other rights connected therewith including exhibition of the picture by means of wireless diffusion and by wire for communication to the Public through television in the picture SAPHALYAM – Malayalam – Colour starring Suresh Gopi, Sangeetha, etc., and directed by G.S.Vijayan for 15 years from 28.04.1999;



b) for a permanent injunction restraining the defendants, their men, agents, assignees, servants, or any other person authorised by them from interfering or infringing the plaintiff's limited copyright namely the World Satellite Television Broadcast, Direct to Home (Direct Satellite) Broadcast, Terrestrial Television Broadcast including all channels of Doordarshan Kendra including Movie Club (DD-4) all other rights connected therewith including exhibition of the picture by means of wireless diffusion and by wire for communication to the Public through television in the picture SAPHALYAM – Malayalam – Colour starring Suresh Gopi, Sangeetha, etc., and directed by G.S.Vijayan and

c) for cost of the suit.

For Plaintiff : Ms.Raajamani
for Mr.C.Ramesh

For Defendants : No appearance

J U D G M E N T

Ms.Raajamani, learned counsel representing Mr.C.Ramesh, learned counsel for the plaintiff would submit that the suit itself has become infructuous and seeks permission to withdraw the suit.



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2. Recording the said submission of the counsel for the plaintiff, this suit is dismissed as withdrawn. No costs.

Sd./-R.S.M.J
15.09.2021

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
15.09.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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