



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 29TH DAY OF JUNE 2021

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

C.S. No.639 of 2001

Sri Madhu Mohan
Sole Proprietor, JR Productions Int.,
7, Bharathi Street,
West Mambalam,
Chennai – 600 033.

... Plaintiff

-Versus-

- 1) Smt. Suma Ravi Kumar
House No. 29/395, Kunnath Mana Lane,
Dr.A.R Menon Road, Trichur, Kerala.
- 2) The Director,
Doordharshan Kendra,
Trivandram.
(2nd defendant impleaded as per the Order passed
in Appln No. 5238 of 2001 dated 02.08.2002

... Defendant

C.S.No. 855 of 2015

Civil Suit praying that this Hon'ble Court be pleased to grant a

Judgement and Decree on the following terms:

- a) For a declaration that the plaintiff is the limited owner of the



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DESATHINTE KATHA' for producing Regional Tele-Serial (Malayalam) and National Network TV Serials; and

- b) For a permanent injunction restraining the defendants, her agents, servant / representatives or anybody claiming through or under them from in any manner infringing the limited copyright and dealing with the copyright in respect of the Story-rights of the novel title “ORU DESTHINTE KATHA” regarding the Regional Tele-Serial (Malayalam) and National Network, TV Serials.

This suit coming on this day before this court for hearing in the presence of Mr.N.R.Srinath, Advocate for the defendants herein and the plaintiff herein, not appearing in person or by advocate and upon reading the plaint filed herein and this court having observed that on 28.04.2021, Mr. Krishna representing Mr.A. Chidambaram had reported that they had returned the papers alongwith the consent for change of vakalat, therefore, registry was directed to verify as to whether any new counsel had entered appearance, it is now reported that no new counsel has entered appearance, Mr.N.R.Srinath, learned counsel appearing for defendants would submit that he has no instructions, **it is ordered as follows:-**

- 2) That the suit in C.S.No. 639 of 2001, be and is hereby dismissed for non-prosecution.



3) That there shall be no costs of this suit.

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



NS

12.08.2021

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4

C.S.No. 639 of 2001

DECREE
DATED 29/06/2021

THE HON'BLE MR.JUSTICE
R.SUBRAMANIAN

FOR APPROVAL: 08/09/2021

APPROVED ON:09/09/2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.S.No.639 of 2001

Sri Madhu Mohan

Sole Proprietor, JR Productions Int.,

7, Bharathi Street,

West Mambalam,

Chennai – 600 033.

...Plaintiff

Vs.

1.Smt.Suma Ravi Kumar

House No.29/395, Kunnath Mana Lane,

Dr.A.R.Menon Road, Trichur, Kerela.

2.The Director,

Doordharshan Kendra,

Trivandram.

(2nd defenant impleaded as per the Order passed

in Appln No.5238 of 2001 dated 02.08.2002)

...Defendants

Prayer: Plaintiff filed under Sections 55 and 62 of the Indian Copyright Act,

1955 r/w. Order IV Rule 1 & 2 of the Original Side Rules, praying as

follows:-

i) for a declaration that the plaintiff is the limited owner of the

Copyright in respect of Story right of the novel titled 'ORU DESATHINTE

KATHA' for producing Regional Tele-Serial(Malayalam) and National

Network TV Serials; and



ii) for a permanent injunction restraining the Defendant, her agents, servants / representatives or anybody claiming through or under them from in any manner infringing the limited copyright and dealing with the copyright in respect of the Story-rights of the novel titled “ORU DESATHINTE KATHA” regarding the Regional Tele-Serial (Malayalam) and National Network, Serials.

For Plaintiff : No Appearance

For Defendants : No Appearance

J U D G M E N T

The suit is one for infringement of a copyright, which falls within the meaning of the term 'commercial dispute' as defined under Section 2(1)(c)(xvii) of the Commercial Courts Act, 2015. The jurisdiction is therefore, determined and the Commercial Division takes cognizance of the suit.

2.On 28.04.2021, Mr.Krishna representing Mr.A.Chidambaram had reported that they had returned the papers along with the consent for change of Vakalat. Therefore, Registry was directed to verify as to whether



counsel has entered appearance. Mr.N.R.Srinath, learned counsel appearing for defendants would submit that he has no instructions.

3.In view of the same, this suit is dismissed for non-prosecution.

No costs.

Sd/- R.S.M.J.
29/06/2021

List of witness and documents filed on the side of the plaintiff:

Nil

List of witness and documents filed on the side of the defendants:

Nil

Sd/- R.S.M.J.
29/06/2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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