

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2021

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.S.No.755 of 2001

Aalayam Productions
rep. by its Partner S.Sriram
No.3, First Cross Street,
Seethammal Colony
Chennai – 18

...Plaintiff

.Vs.

1.M/s.Friends India
rep. by its Prop.Jhamu U.Sughand
No.3-C, Rajpipla Co.Op.Housing
Society Ltd. 352, Linking Road,
Santacruz (W)
Mumbai – 400 054.

2.Amitabh Bachchan Corporation Ltd.
Ajanta Complex,
8, Juhu Tara Road,
Mumbai – 400 049.

3.Hathway Cable Datacom Private Ltd
Swati Building, 6th Floor
Corner of North Avenue and Linking Road
Santacruz (W)
Mumbai – 400 054.

and having office at Chennai
No.29, Luz Avenue,
(Opp. To Nageswar Rao Park)
Mylapore, Chennai – 4.

... Defendants

Plaint filed under Sections 55 and 62 of the Indian Copyright Act, 1957 read with Order IV Rule 1 of the High Court Original Side Rules praying for :

- a) Permanent Injunction, restraining the defendants, their men, agents and servants from infringing the plaintiff's cable T.V., Satellite T.V and Terrestrial T.V. Copyrights in the Hindi feature film “BOMBAY” starring Aravind Swamy, Monisha Koirala and directed by Mani Rathnam and
- b) direct the defendants to pay costs of the suit.

For Plaintiff : Mr.A.Umasankar

For Defendants : No appearance

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J U D G M E N T

The suit has been filed by the plaintiff seeking

- a) Permanent Injunction, restraining the defendants, their men, agents and servants from infringing the plaintiff's cable T.V., Satellite T.V and Terrestrial T.V. Copyrights in the Hindi feature film “BOMBAY” starring Aravind Swamy, Monisha Koirala and directed by Mani Rathnam and
- b) direct the defendants to pay costs of the suit.

2. Mr.Umashankar, learned counsel appearing for the plaintiff would submit that he is unable to contact the plaintiff. The letters sent by his Office have been returned as not claimed.

3. The suit relates to the satellite rights of the movie “BOMBAY”. The suit itself is of the year 2001 and the counsel on either side are unable to get instructions from the parties. No useful purpose will be served in keeping the suit pending.

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.

24.06.2021

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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

24.06.2021

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R.SUBRAMANIAN, J.

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