

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

C.S.No. 838 of 2001

G.R. Raju

... Plaintiff

Vs.

1. B. Loganathan
Proprietor,
Shree Siddhi Vinayakar

2. B. Balaji

3. Sony Entertainment Television,

4. Cine Channel & C News

5. Shemaroo Video Ltd.,

Rep. by its Director.

... Defendants

Prayer:

Civil Suit is filed under Section 55 of the Copy Rights Act, 1957 (a) for a declaration that the plaintiff is the absolute owner of the limited copyright namely the Cable TV rights for a period of 10 years from 11.10.1999 and Pay TV and Internet rights for a period of 25 years from 16.04.2000 in the picture PREM PRATHIGNA - Hindi - Colour, starring Mithun Chakravarthy, Madhuri Dixit, etc. and directed by Bapur for the entire world. (b) for a permanent injunction restraining the defendants, their men, agents, assignees or any person acting on their behalf from exploiting or interfering with the plaintiff's limited copyrights namely the Cable TV rights and Pay TV and internet rights for the

entire world in the picture PREM PRATHIGNA - Hindi - Colour, starring Mithun Chakravarthy, Madhuri Dixit, etc., and directed by Bapu and for costs of the suit.

For Plaintiff : Mr.C.Ramesh

For D3 to D5 : No Appearance

J U D G M E N T

Heard Mr.C.Ramesh, learned counsel for the plaintiff.

2. The suit had been filed under Section 55 and 63 of the Copy Right Act, 1957, seeking for a declaration that the plaintiff is the absolute owner of the limited copyright namely the Cable TV rights for a period of 10 years from 11.10.1999 and Pay TV and Internet rights for a period of 25 years from 16.04.2000 in the picture PREM PRATHIGNA - Hindi and for permanent injunction and for costs of the suit.

3. Since there is an assertion of an intellectual property right, the Commercial Division of this Court will have necessary jurisdiction to examine the issues raised under Section 2 (1) (c) (xvii) of the Commercial Courts Act, 2015.

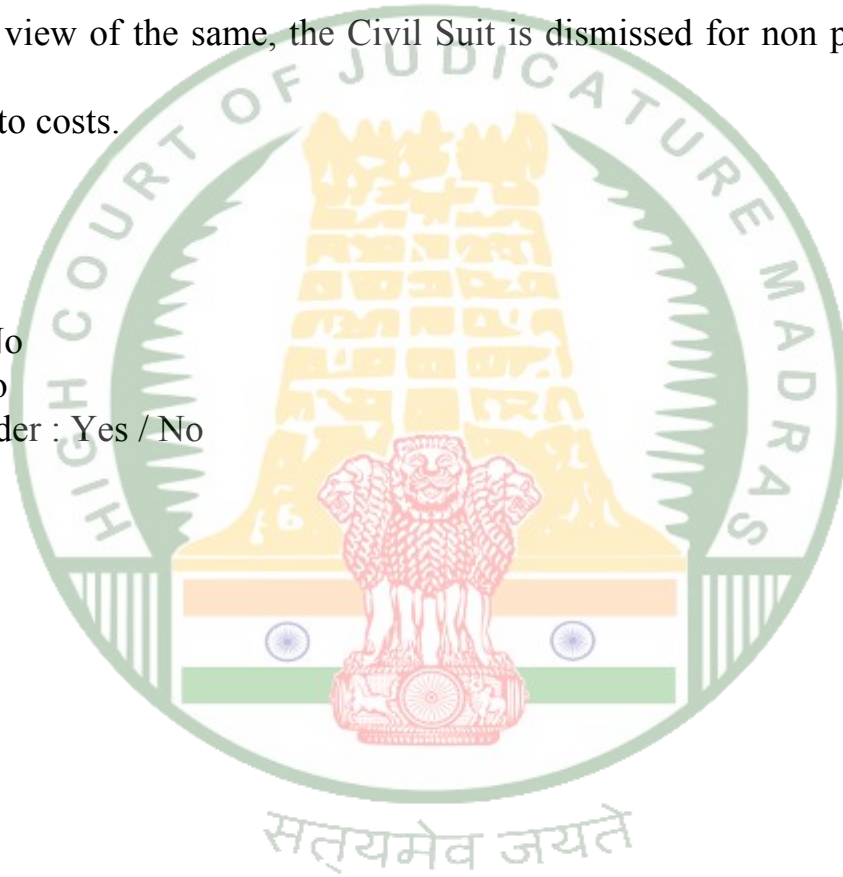
4. The learned counsel for the plaintiff submitted that he had been instructed by the plaintiff to inform the Court that the relief sought in the present suit does not survive.

5. In view of the same, the Civil Suit is dismissed for non prosecution.

No order as to costs.

10.03.2021

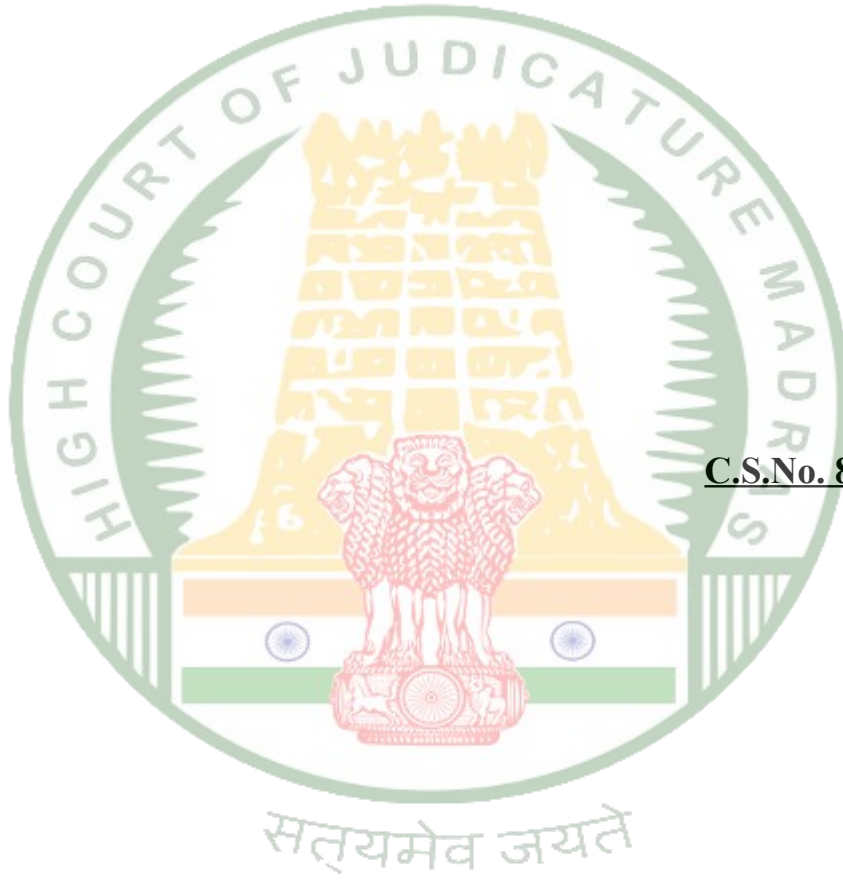
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Speaking order : Yes / No
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C.V.KARTHIKEYAN, J.

msm



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