

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.S.No.442 of 2006

H.S.Balaji & Sons (Bombay) Pvt. Ltd.,
No.3-B, Res. Block, Alsa Towers,
186-187, Poonamallee High Road,
Chennai – 600 010.

...Plaintiff

Vs.

1.Mr.S.M.Harish, Proprietor,
M/s.Shri Bala Talkies,
8/2032, Jeewan Bima Nagar,
Anna Nagar Western Extension,
Chennai – 600 101.

2.Mr.S.Mohan,
8/2032, Jeewan Bima Nagar,
Anna Nagar Western Extension,
Chennai – 600 101.

3.Prasad Productions P.Ltd., owning
Prasad Film Laboratories,
22, Arunachalam Road, Saligramam,
Chennai – 600 093.

...Defendants

Prayer: Complaint filed under Order IV Rule of the Original Side rules r/w. Sections 55 & 62 of the Copy Right Act and r/w. Order VII Rule I of C.P.C., praying as follows:-

a) granting a permanent injunction restraining the defendants from infringing the limited copy right of the plaintiff over the Tamil Cinematograph film titled “Kalavum Katru Mara” starring Prabhu Deva, Roja & Others and directed by Mohanji as detailed in the schedule, in any manner, especially by making, delivering or releasing any print of the said film for exploiting anywhere in violation of such copyright, or in the ALTERNATIVE granting money decree directing the defendants 1 & 2 to pay to the plaintiff Rs.19,90,000/- comprised of the principal sum advanced being Rs.4,90,000/- and damages for infringement at Rs.15,00,000/- as estimated by the plaintiff or such other sum as this Hon'ble Court may award.

b) granting a permanent injunction restraining the defendants, their men, agents, distributors, assignees and every one claiming under or through them from making, delivering or releasing anywhere any print of the Tamil Cinematograph film titled “Kalavum Katru Mara” starring Prabhu Deva, Roja & Others and directed by Mohanji until the defendants 1 to 3 either deliver prints of the said film to the plaintiff as agreed or pay to the plaintiff the entire sum of Rs.19,90,000/-.

c) granting such further or other reliefs as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Plaintiff : Mr.R.Murugan

For Defendants : M/s.R.Thiagarajan &

Vasudha Thiagarajanfor D1 & D2

D3 – No Appearance

J U D G M E N T

Mr.R.Murugan, learned counsel appearing for the plaintiff would submit that the suit itself has been settled out of Court and nothing survives in the suit.

2.Recording the said statement, this suit is dismissed as settled out of Court. No costs.

29.04.2021

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Internet:Yes
Index:No
Non-Speaking

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

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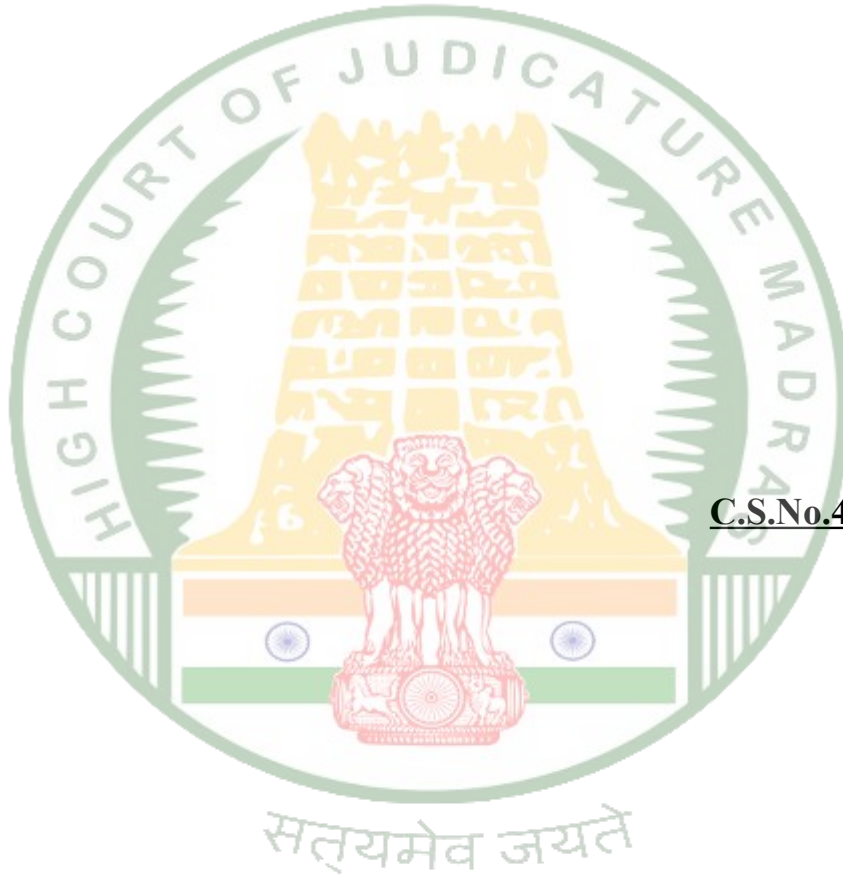
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R.SUBRAMANIAN, J.

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