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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 22ND DAY OF JULY 2021

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

C.S. No.85 of 2006

In the matter of Copy Right Act
and

In the matter of 'Tamil Talkie Picture
'June R'

Veera Mohan,
Prop. M/s. Jai Weeraa's Film International
1st Cross Street, Venkatesh Nagar,
Virugambakkam, Chennai – 600 092.

... Plaintiff

-Versus-

1. M/s. Idea Wold I Celluloid Private Limited
Rep. by its Managing Director
at No. 20/1, 47th Street, 7th Avenue, Ashok Nagar,
Chennai – 600 083.

2. M/S. Gemini Colour Laboratory
at No. 28, New Bangaru Colony west,
K.K. Nagar, Chennai – 600 078.

... Defendants

C.S.No. 85 of 2006

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

judgment and decree:



- a) For Declaration that the Plaintiff is the absolute owner of the Copy Right of the Picture June R Staring Kushboo and Jyothika for entire overseas including Sri Lanka for a perpetual Period of 99 years and entitled to receive publicity materials and lab letter on payment of balance lease consideration to the first defendant and the Agreement entered between the plaintiff and the first defendant dated 20.08.2005 is in force;
- b) Permenant Injunction restraining the first defendant from releasing the picture June R any where in Tamilnadu without complying the terms and conditions of the agreement dated 20.08.2005 and consequently restraining the second defendant from releasing the prints of the picture June R or any publicity material to the first defendant or any body claiming under or acting on behalf of the first defendant in contravention of the agreement dated 20.08.2005.
- c) Direct the defendants to pay the costs of the suit.

This suit coming on this day before this court for hearing and the Plaintiff and the defendants herein, not appearing in person or by advocate and the said defendants herein, having been set exparte and upon reading the plaint filed herein, **it is ordered as follow:-**

That the suit in C.S.No. 85 of 2006, be and is hereby dismissed for non-prosecution.



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

WEB COPY WITNESS, THE HON'BLE MR.JUSTICE SANJIB BANERJEE, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 22ND DAY OF JULY 2021

Sd/-
ASSISTANT REGISTRAR (Comm.Cases)

//Certified to be true copy//
Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)
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01.09.2021

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C.S.No. 85 of 2006

ORDER
DATED 22/07/2021

THE HON'BLE MR.JUSTICE
R.SUBRAMANIAN

FOR APPROVAL: 09/09/2021

APPROVED ON:13/09/2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2021

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.S.No.85 of 2006

Veera Mohan
Prop. M/s.Jai Weeraa's Film International

...Plaintiff

Vs.

1. M/s.Ida Wold I Celluloid Private Limited
Rep. by its Managing Director

2. M/s.Gemini Colour Laboratory

... Defendants

Plaint filed under Sections 55 and 62 of Copy Right Act read with Order IV Rule 1 of the Original Side Rules praying for a judgment and decree against the defendants:

a) For declaration that the plaintiff is the absolute owner of the Copy Right of the Picture June R Staring Kushboo and Jyothika for entire overseas including Sri Lanka for a perpetual period of 99 years and entitled to receive publicity materials and lab letter on payment of balance lease consideration to the first defendant and the Agreement entered between the plaintiff and the first defendant dated 20.08.2005 is in force;

b) Permanent injunction restraining the first defendant from releasing the picture June R any where in Tamilnadu without complying the



terms and conditions of the agreement dated 20.08.2005 and consequently restraining the second defendant from releasing the prints of the picture June R or any publicity material to the first defendant or any body claiming under or acting on behalf of the first defendant in contravention of the Agreement dated 20.08.2005 and

c) Direct the defendants to pay the costs of the suit.

For Plaintiff

: No appearance

J U D G M E N T

The suit has been filed for

a) Declaration that the plaintiff is the absolute owner of the Copy Right of the Picture June R Staring Kushboo and Jyothika for entire overseas including Sri Lanka for a perpetual period of 99 years and entitled to receive publicity materials and lab letter on payment of balance lease consideration to the first defendant and the Agreement entered between the plaintiff and the first defendant dated 20.08.2005 is in force;

b) Permanent injunction restraining the first defendant from releasing the picture June R any where in Tamilnadu without complying the terms and conditions of the agreement dated 20.08.2005 and consequently ~~restraining the second defendant from releasing the prints of the picture~~ June R or any publicity material to the first defendant or any body claiming



under or acting on behalf of the first defendant in contravention of the Agreement dated 20.08.2005 and

c) For the costs of the suit.

2. Though, time was granted to file written statement till 20.07.2021, no written statement has been filed. None appears for the defendants. The defendants are called absent and set exparte. None appears for the plaintiff also.

3. Hence, the suit is dismissed for non-prosecution. No costs.

Sd/- R.S.M.J.
27/07/2021

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.
27/07/2021

//Certified to be true copy//
Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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