

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE **C.V.KARTHIKEYAN**

C.S.No.399 of 2005

M/s.West Top Investments (India) Pvt. Ltd.,
rep. by its Director
Ghanshyam Hemdev
No.73, Nungambakkam High Road,
Chennai – 600 034.

.. Plaintiff

/versus/

1.M.V.Jayaprakash

2.M/s.Gemini Colour Laboratory
No.2 Vembuliamman Koil Street,
Virugambakkam, Chennai – 600 092.

3.M/s.Vijaya Colour Laboratory
No.9-A, Kumaran Colony Main Road,
Vadapalani, Chennai – 600 026.

4.M/s.Prasad Film Laboratories
58, Arunachalam Road,
Chennai – 600 093.

.. Defendants

This Civil Suit is filed under Section 55 and 62 of the Indian Copyright Act, 1957 read with Order IV Rule 1 of the Original Side Rules and Order VII Rule 1 of C.P.C., prayed for a Judgment and Decree against the defendant:-

a).For a declaration that the plaintiff is the absolute owner of the limited copyrights viz., Exclusive World Wide Web Internet Copyrights and Web based technology Rights for the entire world, Exclusive Video Copyrights inclusive of Video Compact Disc, Digital Versatile Disc, for entire India, in the schedule mentioned films as per agreement dated 20.09.2001 for 10 years from the date of the agreement;

b).For a permanent injunction restraining the defendants, their men, agents, servants or assigns from in any manner infringing the limited copyrights viz., Exclusive World Wide Web Internet Copyrights and Web based technology Rights for the entire world, Exclusive Video Copyrights inclusive of Video Compact Disc, Digital Versatile Disc, for entire India, in the films described in the schedule to the plaint for 10 years from 20.09.2001;

c).For costs of the suit.

For Plaintiff : Mr.K.Harishankar

For D1 & D2 : No appearance

For D3 : Mr.P.L.Narayanan.

JUDGMENT

The learned counsel for the plaintiff had filed a memo dated 15.03.2021 indicating that the cause of action does not survive and seeks permission of this Court to withdraw the suit.

2. In view of the said memo dated 15.03.2021, which had been signed by the learned counsel for the plaintiff and by the plaintiff, the suit is dismissed as withdrawn. No order as to costs. The memo filed by the learned counsel for the plaintiff shall form part of the decree.

16.03.2021

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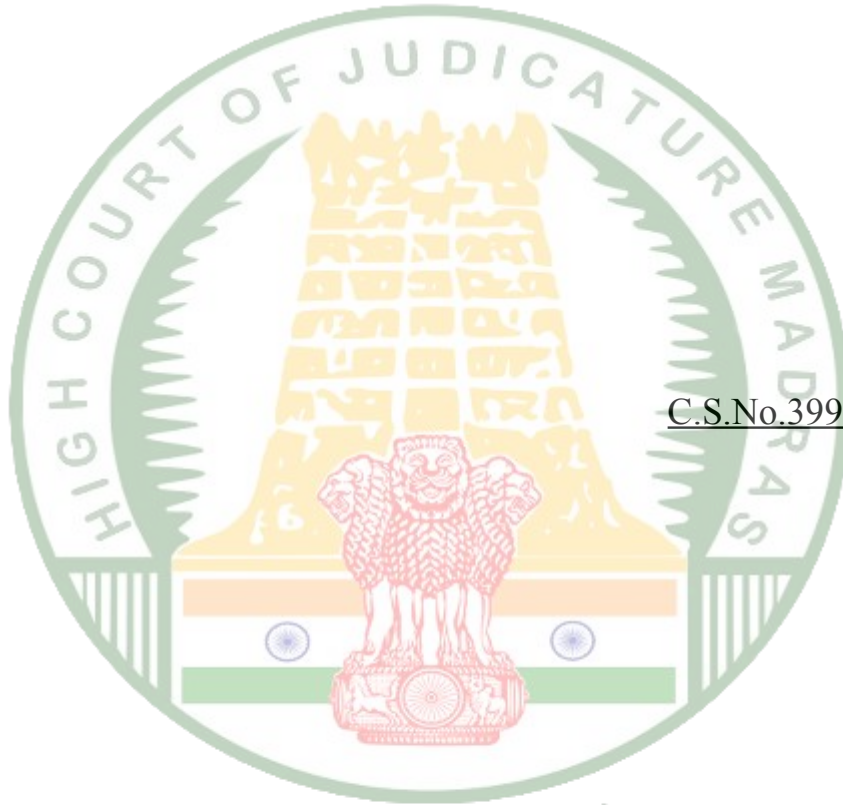
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C.V.KARTHIKEYAN,J.

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