



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 30TH DAY OF JULY 2021

THE HON'BLE DR. JUSTICE G.JAYACHANDRAN

C.S.No.382 of 2019

and

A.No. 2205 of 2021

In the matter of Copy Right Act, 1957

and

In the matter of Chakrapani & 21
other films

M/s.Bharani Pictures Private Limited,
Rep. by its Manager,
Ramakrishna Bhatt,
S/o.Late A.Narayana Bhatt,
No.57, N.S.K.Salai,
formerly Arcot Road,
Saligramam, Chennai – 600 093

... Plaintiff / Applicant

/versus/

Narini Srinivas,
Proprietor, Studio One,
No.6, Road No.1, Film Nagar,
Opp to Barathi Vidya Bhavan,
Jubilee Hills, Hyderabad-96.

Also at
Narini Networks Pvt Ltd.,
Narini Nagar, Panchavathi Colony,
Manikonda, Hyderabad – 500 089.

... Defendant / Respondent

C.S.No.382 of 2019

<https://hcservices.ecourts.gov.in/hcservices/>

Civil Suit Praying that this Hon'ble Court be pleased to pass a



judgment and decree in favour of the Plaintiff

a) for the relief of declaration, declaring that the plaintiff is the absolute copyright owner in the suit films morefully described in the schedule hereunder as item 1 to 21 having the rights of distribution, exhibition, exploitation rights, inclusive of commercial, non-commercial, non-theatrical medias, world Television rights, worlds Video rights, world Satellite rights, Pay TV, Pay per view, Cable TV rights, DVD, VCD, LD, Internet and web based technology rights DTU (Direct to User) and DTH (Direct to Home) rights, and all other rights in whatsoever manner including the future scientific advancement and technological rights for the territories of entire world including India in respect of the Suit films.

b) Granting permanent injunction restraining the Defendant his agents, servants, each and every person and persons in any manner interfering with infringing the Plaintiff's copy right in the suit films morefully described in items 1 to 21 in the schedule hereunder inclusive of commercial, non-commercial, non-theatrical medias, world Television rights, worlds Video rights, world Satellite rights, Pay TV, Pay per view, Cable TV rights, DVD, VCD, LD, Internet and web based technology rights DTU (Direct to User) and DTH (Direct to Home) rights, and all other rights in whatsoever manner including the future scientific advancement and technological rights in respect of the Suit films.



c) Direct the Defendant to pay a sum of Rs.25,00,000/-

(Rupees Twenty Five Lakhs Only) to the Plaintiff together with interest at 12% p.a. from the date of plaint till the date of realization.

d) Costs of this suit.

A.No. 2205 of 2021

Application praying that this Hon'ble Court be pleased to permit the plaintiff to withdraw the above suit with liberty to institute a fresh suit in respect of the subject matter of the above suit, based on the same cause of action.

This suit along with the application coming on this day before this Court for hearing in the presence of Mr.P.L.Narayanan, Advocate for the Plaintiff in C.S.No. 382 of 2019 and for the applicant in A.No. 2205 of 2021 and Mr. Raajamani, Advocate for the defendant in C.S.No. 382 of 2019 and for the respondent in A.No. 2205 of 2021 and upon reading the plaint filed in C.S.No. 382 of 2019 and the Judge's Summons and affidavit of Ramakrishna Bhatt filed in A.No. 2205 of 2021 and allowing this A.No.2205 of 2021, it is ordered as follows:-

That the Plaintiff herein, be and is permitted to withdraw the suit in



2. That the Plaintiff herein, shall be at liberty to institute a fresh suit in respect of the subject matter of the above suit, based on the same cause of action.

3. That there shall be no order as to costs of this suit.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
30TH 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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22/09/2021

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C.S.No.382 of 2019
and
A.No. 2205 of 2021

ORDER

DATED : 30.07.2021

THE HON'BLE DR.JUSTICE
G.JAYACHANDRAN

FOR APPROVAL : 12.10.2021

APPROVED ON : 20.10.2021



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For Applicant : Mr.PL.Narayanan

For Respondent : Mr.Raajamani

JUDGMENT

This Application is filed to withdraw the suit with liberty to institute a fresh suit in respect of the subject matter based on the same cause of action, since the present suit has been found to be initiated against the Proprietor of “Studio One” and not the actual person who claims rival copyright over the subject movie, which happens to be a Private Limited Company.

2. Considering the averments made in the affidavit and the nature of the relief sought in the suit, the plaintiff is permitted to withdraw the present suit with liberty to file fresh suit for the very same subject matter, but not against the present defendant. Accordingly, this ***Application No.2205 of 2021 is allowed.*** Consequently, the Suit in C.S.No.382 of 2019 shall stands disposed of. No order as to costs.

Sd./-G.J.J.

30/07/2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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