

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 30.07.2021

Coram::

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

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

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

... Applicant

/versus/

Narini Srinivas,
Proprietor, Studio One,
No.6, Road No.1, Film Nagar,
Opp to Barathi VidyaBhavan,
Jubilee Hills, Hyderabad

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

... Respondent

Prayer: This Application is filed under Order XIV Rule 8 of Original Side Rules under order XXIII Rule 1 of C.P.C.

(i). Why this application should not be treated as urgent?

(ii). Why this Hon'ble Court should not 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?

For Applicant : Mr.PL.Narayanan

For Respondent : Mr.Raajamani

JUDGMENT

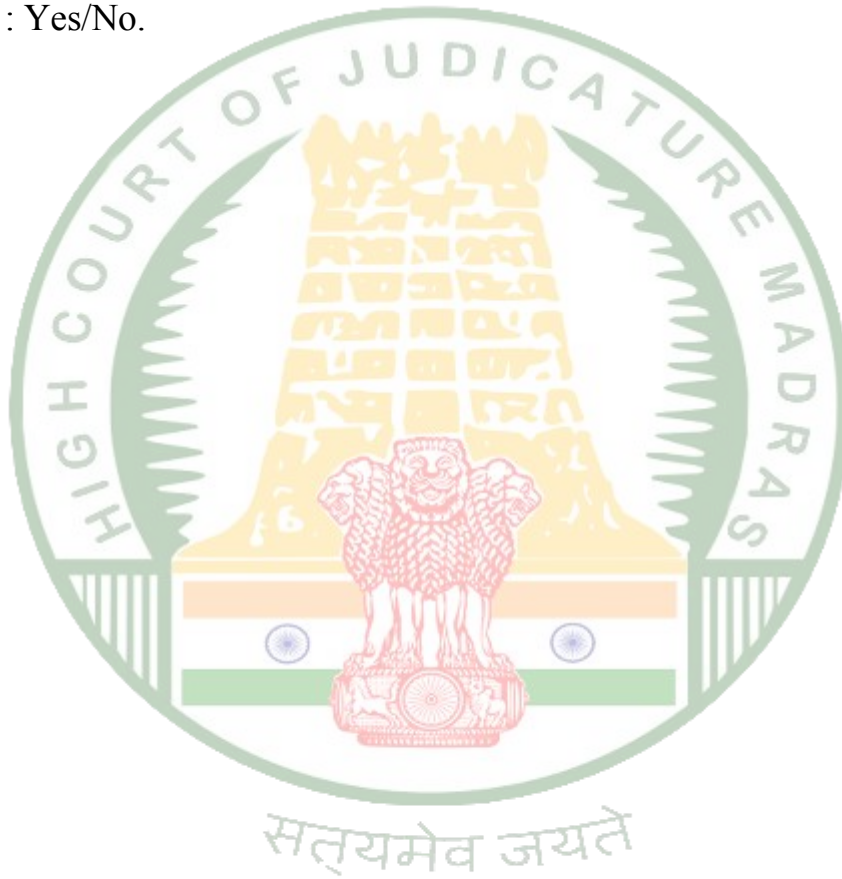
This Application is filed to withdraw the suit with liberty to institute a fresh suit in respect of the subject matter based on the same cause of action, since the present suit has been found to be initiated against the Proprietor of “Studio One” and not the actual person who claims rival copyright over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

30.07.2021

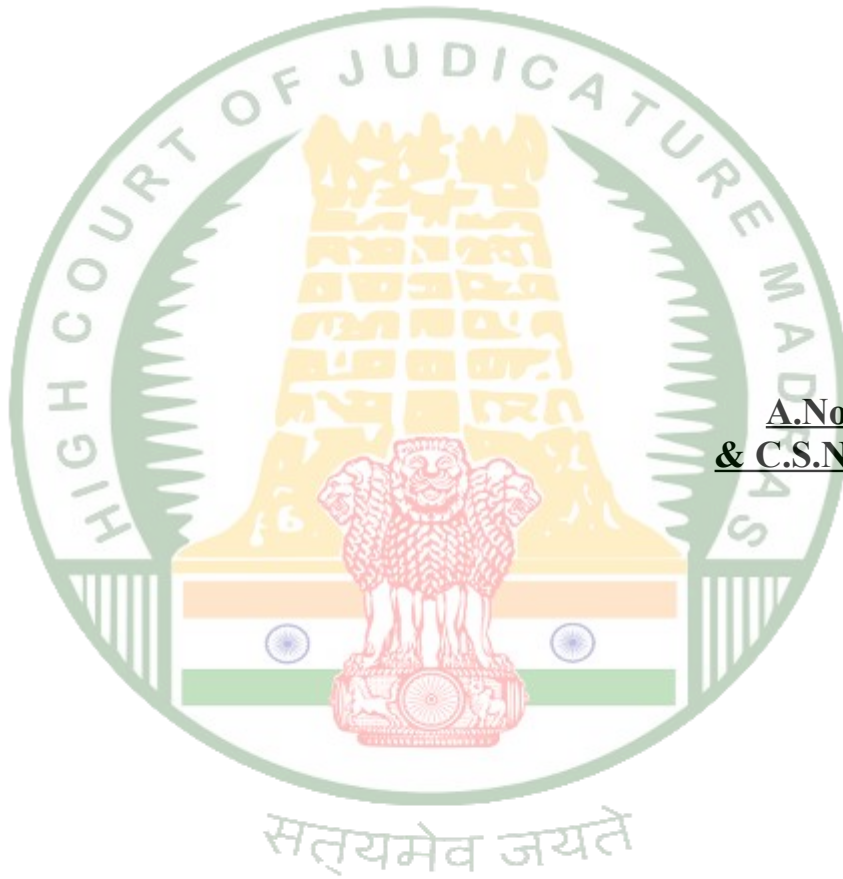
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Dr.G.Jayachandran,J.

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