



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 21st DAY OF JUNE 2021

THE HON'BLE DR. JUSTICE G.JAYACHANDRAN

C.S.No.787 of 2018

and

O.A. No.1087 of 2018

In the matter of Indian Copy Right
Act, 1957

And

In the matter of dubbing version of
Tamil & Telugu (bilingual) Film titled
"1945"

R.Singaravadivelan
Proprietor
Madukkur Movie Makers
Flat No.A8, IInd Floor,
Srinivasa Arcade
No.1-2, Arunachalam Road,
Saligramam, Chennai 600 093.

:Plaintiff/Applicant

-Versus-

1. S.N.Rajaraman
Proprietor
K.Productions
No.7, 1st Floor, 5th Avenue,
Harrington Road, Chetpet,
Chennai 600 031.
and also at No.20, G.K.S.Annex
Pycroft Garden Road, Nungambakkam,
Chennai 600 006.

2. Mishri Movies
Proprietor
C.P.Sunil Raj
No.21/9, Cenotaph Road,
Second Lane, Alwarpet,
Chennai 600 018.



3. M/s. Surabi Films

Rep.by its Partner S.Mohan

No.65/3, Pushpa Enclave,

K.S.Nagar, School Road,

Kolathur, Chennai 600 099.

4. Gemini Color Laboratory

Unit of Gemini Industries and Imaging Ltd.,

28, NewBangaru Colony,

West K.K.Nagar, Chennai 600 078.

: Defendants/Respondents

C.S.No.787 of 2018

Civil Suit praying that this Hon'ble Court may be pleased to pass a judgement and decree in favour of the plaintiff:-

(a) For the relief of declaration declaring that the plaintiff is the absolute copy right owner in the suit film “1945” bilingual dubbing rights in Hindi and North Indian Languages morefully described in the schedule hereunder having the rights of distribution, exhibition, exploitation rights, inclusive of commercial, non-commercial, non theatrical medias world television rights, world 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 film for a perpetual period of 99 years;

(b) Granting permanent injunction restraining the 2nd and 3rd defendants, their agents, servants, each and every person or persons in any manner interfering with or infringing the plaintiff's copy right in the suit



film “1945”, bilingual dubbing rights in Hindi and North Indian languages, morefully described in the schedule items hereunder inclusive of commercial, non-commercial, non-theatrical media, world television rights, world 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 film;

(c) the costs of this suit.

O.A. No.1087 of 2018

Original Application praying that this Hon'ble Court be pleased to grant an order of permanent injunction restraining the 2nd and 3rd respondents/2nd and 3rd defendants their agents, servants, each and every person or persons in any manner interfering with or infringing my copy right in the suit film "1945", bilingual dubbing rights in Hindi and North Indian languages, more fully described hereunder inclusive of commercial, non-commercial, non-theatrical medias, world Television rights, world 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 film.



This Civil Suit with the Original Application along with C.S.No.54 of 2020 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.787 of 2018 and for the applicant in O.A.No.1087 of 2018 and the defendants/respondents herein not appearing in person or by advocate and upon reading the plaintiff filed in C.S.No.787 of 2018 and the order dated 10.12.2018 made in O.A.No.1087 of 2018 and this Court observing that from the submission of the learned counsel it appears that the parties had settled their dispute out of Court and there is no instruction from the parties to pursue the suit, and

it is ordered as follows:-

That the suit in C.S.No.787 of 2018 be and is hereby dismissed for non-prosecution.

2. That the O.A.No.1087 of 2018 do stand closed.

3. That there shall be no costs of this suit.

WITNESS THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 21ST DAY OF JUNE 2021.

Sd./-

ASSISTANT REGISTRAR (Comm.Case)

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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C.S.No.787 of 2018
and
O.A. No.1087 of 2018

ORDER :-
DATED: 21.06.2021

THE HON'BLE DR.JUSTICE
G.JAYACHANDRAN

FOR APPROVAL: 13.08.2021

APPROVED ON: 17.08.2021



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.06.2021

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

C.S.(Com.Div.) Nos.54 of 2020 & 787 of 2018

and

O.A.Nos.86 of 2020 & 1087 of 2018

C.S.(Com.Div.) No.54 of 2020

C.P.Sunil Raj (Proprietor)
M/s.Mishri Movies,
21/9, Cenetoph Road, Second lane,
Alwarpet,
Chennai-600018.

.. Plaintiff

/versus/

1.S.N.Rajarajan,
Proprietor,
M/s.K Productions,
No.7, 1st Floor, 5th Avenue,
Harrington Road, Chetpet,
Chennai-600 031.

and also at No.21, G.K.S.Annex,
Pycroft Garden Road, Nungambakkam,
Chennai-600 006.

2.M/s.Surabi Films,
Rep.by its Partner, S.Mohan,
No.65/3, Pushpa Enclave,
K.S.Nagar, School Road,
Kolathur, Chennai-600099.

3.R.Singaravadevelan,
Proprietor,
M/s.Madukkar Movie Makers,



Flat No.A8, 2nd Floor, Srinivasa Arcade,
No.1-2, Arunachalam Road,
Saligrammam,
Chennai-600093.

4.M/s.Goldmines Telefilms Private Limited,
Represented by its Managing Director,
Mr.Manish Shah,
6th Floor, 601A/1 & A/2, B Wing,
Palm Court M Premises,
Next to Infinity Mall, Link Road,
Malad (W), Mumbai 400 064.

.. Defendants

C.S.(Com.Div.) No.787 of 2018

R.Singaravadivelan,
Proprietor,
M/s.Madukkar Movie Makers,
Flat No.A8, 2nd Floor, Srinivasa Arcade,
No.1-2, Arunachalam Road,
Saligrammam,
Chennai-600093.

..Plaintiff

/versus/

1.S.N.Rajarajan,
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Rep.by its Partner, S.Mohan,
No.65/3, Pushpa Enclave,
K.S.Nagar, School Road,
Kolathur, Chennai-600099.

4.Gemini Color Laboratory,
Unit of Gemini Industries and Imaging Ltd.,
28, New Bangaru Colony,
West K.K.Nagar,
Chennai-600 078.

..Defendants

Prayer in C.S (Com.Div) No.54 of 2020: This Civil Suit is filed under Order IV Rule 1 Original Side Rules read with Order VII Rule 1 of CPC read with Section 55 and 62 of Copyright Act, 1955, prayed for (a) To grant permanent injunction restraining the Defendatns, their men, agents, servants, assign or any person/s claiming through or under them from in any manner interfering with or infringing the Plaintiff's copyright in the suit film "1945", bilingual dubbing rights in Hindi and North Indian languages, morefully described in the schedule items hereunder inclusive of commercial, non-commercial, non-theatrical media, world television rights, world 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 film; (b) To award the costs of this suit.

Prayer in C.S (Com.Div) No.787 of 2018: This Civil Suit is filed under Order IV Rule 1 Original Side Rules read with Order VII Rule 1 of CPC read with Section 55 and 62 of Copyright Act, 1955, prayed for (a) For the relief of declaration declaring that the plaintiff is the absolute copy right



owner in the suit film “1945” bilingual dubbing rights in Hindi and North Indian Languages morefully described in the schedule hereunder having the rights of distribution, exhibition, exploitation rights, inclusive of commercial, non-commercial, non theatrical medias world television rights, world 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 film for a perpetual period of 99 years; (b) Granting permanent injunction restraining the 2nd and 3rd defendants their agents, servants, each and every person or persons in any manner interfering with or infringing the plaintiff's copy right in the suit film “1945”, bilingual dubbing rights in Hindi and North Indian languages, morefully described in the schedule items hereunder inclusive of commercial, non-commercial, non-theatrical media, world television rights, world 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 film; (c) the costs of this suit.

For plaintiff in C.S.787/2018 : Mr.PL.Narayanan

For plaintiff in C.S.54/2020 : No appearance

For Defendant in both C.S : No appearance

From the submission of the learned counsel, it appears that the parties



had settled their dispute out of Court and there is no instruction from the parties to pursue the suits.

2. In the light of the above fact both C.S.No.54 of 2020 and C.S.No.787 of 2018 are dismissed for non-prosecution. Consequently, connected applications are also closed. No costs.

Sd/-G.J.J
21.06.2021

// Certified to be true copy//

Dated at Madras this day of 2021.

Court Officer(O.S.)

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