



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 14TH DAY OF FEBRUARY 2022

THE HON'BLE MRS. JUSTICE V. BHAVANI SUBBAROYAN

C.S.No. 536 of 1995

1. Rani Nagarajan,
Wife of Late. A.P. Nagarajan,
2. Vijayalakshmi Muralidharan,
Wife of Thiru. Muralidharan,
3. C.N. Paramasivan,
Son of Late. A.P. Nagarajan,
All carrying on business at No.23,
T.T.K. Road, I Cross,
Madras – 18.

... Plaintiffs

-Vs-

1. L. Parthasarathy,
Residing at No.75,
Vysial Street,
Coimbatore – 1.
2. M/s. Movie Film Circuit,
Partnership Firm,
Carrying on Business at
Shanmugha Theatre Building,
Mettupalayam Road,
Coimbatore.
Represented by its Partner R.Saraswathi.
3. M/s. G.R. Movies,
Partnership Firm,
Carrying on Business at
No.28, Meeran Sahib Sreet,
Madras – 2.
Represented by its Partner M.A.Gopal.



4. M/s. Sun T.V.,
Having office at Anna Arivalayam,
Anna Salai,
Teynampet,
Madras – 18.
5. M/s. Raj T.V.,
Having Office at 703,
Anna Salai,
Madras – 6.
6. M/s Asia Nett.,
Having Office No.1-C,
Apex Plaza,
Nungambakkam High Road,
Madras – 34.

Civil Suit praying that this Hon'ble Court be pleased to pass a Judgment and decree against the defendants for;

a) Permanent injunction restraining the defendants, their men, agents, representatives or anyone else claiming through the defendants, from in any manner infringing the plaintiffs' copy rights by broadcasting through Satellite, Television, Cable Network, pay channel or any other mechanical contraption, any of the schedule mentioned Feature films in full or any part thereof without the prior consent of the plaintiffs.

b) directing the 4th defendant viz. Sun T.V. to pay damages to the plaintiffs for infringement of the plaintiffs copyright over the pictures mentioned in the schedule by unauthorized telecast of the schedule mentioned pictures or parts thereof tentatively valued at Rs.1000/-



c) directing the 5th defendant to pay the plaintiffs damages for infringement of their copy rights over the schedule mentioned feature films by unauthorized telecast of the schedule mentioned pictures or part thereof tentatively valued at Rs.1000/- .

d) directing the 6th defendant to pay damages to the plaintiffs for infringement of their Copyrights over the schedule mentioned feature films by unauthorized telecast of the schedule mentioned picture or parts thereof valued at Rs.1000/-.

e) directing the defendants to pay the costs of the suits.

This Civil suit coming on this day before this Court for hearing in the presence of Mr.K.S.Viswanathan, Advocates for the plaintiffs herein and Mr.Perumbulavil Radhakrishnan, Advocate for the 3rd defendant herein, and Mr.Mohammed Yousuf, Advocate for the 4th defendant herein and the 2nd defendant herein not appearing in person or by advocate and the learned counsel for the plaintiff herein having submitted on instruction that as the prayer sought for in the suit has become infructuous in view of the subsequent event, nothing survives in the suit for further adjudication, and this Court doth recording the same,

it is ordered as follows :-



WEB COPY That the suit in C.S.No. 536 of 1995 be and is hereby dismissed as infructuous.

2) That there shall be no costs of this Civil Suit.

WITNESS THE HON'BLE MR. JUSTICE MUNISHWAR NATH BHANDARI, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 14TH DAY OF FEBRUARY 2022.

Sd/-

ASSISTANT REGISTRAR (O.S. I)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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ED
07.03.2022

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C.S.No. 536 of 1995

ORDER

DATED : 14.02.2022

THE HON'BLE MRS. JUSTICE
V. BHAVANI SUBBAROYAN

FOR APPROVAL : 08.03.2022

APPROVED ON : 11.03.2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2022

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

C.S.No.536 of 1995

1. Rani Nagarajan
2. Vijayalakshmi Muralidharan,
3. C.N. Paramasivam,

...Plaintiffs

.Vs.

1. L. Parthasarathy,
2. M/s. Movie Film Circuit,
3. M/s. G.R. Movie,
4. M/s. Sun T.V.
5. M/s. Raj T.V.
6. M/s. Asia Nett

... Defendants

This Civil Suit filed under Order VII Rule 1 of C.P.C., read with Order IV Rule 1 of O.S. Rules, under Section 55 of the Copyright Act, praying for a judgment and decree as follows:-

a) permanent injunction restraining the defendants, their men, agents, representatives or anyone else claiming through the defendants, from in any manner infringing the plaintiffs' copy rights by broadcasting through Satellite, Television, Cable Network, pay channel or any other mechanical contraption, any of the schedule mentioned Feature films in full or any part thereof without the prior consent of the plaintiffs.



b) directing the 4th defendant viz. Sun T.V. to pay damages to the plaintiffs for infringement of the plaintiffs copyright over the pictures mentioned in the schedule by unauthorized telecast of the schedule mentioned pictures or parts thereof tentatively valued at Rs.1000/-

c) directing the 5th defendant to pay the plaintiffs damages for infringement of their copy rights over the schedule mentioned feature films by unauthorized telecast of the schedule mentioned pictures or part thereof tentatively valued at Rs.1000/-

d) directing the 6th defendant to pay damages to the plaintiffs for infringement of their Copyrights over the schedule mentioned feature films by unauthorized telecast of the schedule mentioned picture or parts thereof valued at Rs.1000/-

e) directing the defendants to pay the costs of the suits;

For Plaintiffs : Mr.K.S. Viswanathan

For Defendant-2 : No Appearance

For Defendant-3 : Mr.Perumbulavil Radhakrishnan

For Defendant-4 : Mr. Mohammed Yousuf

J U D G M E N T

On a perusal of the record, it is seen that when the matter was listed



plaintiff sought for time to get instruction as to whether anything survives in this suit. Hence, the matter was directed to be listed on 29.06.2021. On that day, Mr.Anupam Raghuraman, appearing for the plaintiff sought time for the same reason. Thereafter, when the matter is taken up for hearing today, the learned counsel for the plaintiff would submit on instruction that as the prayer sought for in the suit has become infructuous in view of the subsequent event, nothing survives in the suit for further adjudication. Hence, the case may be dismissed as infructuous.

2. Recording the aforesaid submission, the suit is dismissed as infructuous. No Costs.

Sd./-V.B.S.J.,
14.02.2022

//Certified to be true copy//
Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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