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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 3RD DAY OF MARCH 2022

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

C.S.No.100 of 1999

Asianet Communications Ltd
Represented by its Vice President
Mr.Prem Menon
No.1-C, Apex Plaza,
No.3, Nungambakkam High Road,
Madras - 600 034

... Plaintiff

-Versus-

1.Surya T.V.
A unit of Sumangali Publications (P) Ltd
Represented by its Managing Director
Mr.Kalanidhi Maran
having its registered office at
No.268 & 269, Anna Salai,
Teynampet, Madras-600018

2.M/s.Prasad Productions Ltd.,
represented by its Joint Managing Director,
Mr.A.Ramesh Prasad
No.27, Arunachalam Road,
Saligramam, Madras - 600 093

3.Kalyani Cine International
represented by its Proprietor,
Mr.K.B.Radhakrishnan
having office at No.XLI/938,
Pullepady Road, Cochin - 682 018

... Defendants



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

judgment and decree :

a)for a permanent injunction restraining the defendants, their agents, men, representatives, assignees and anyone whosoever claiming through the defendants from in any manner infringing the plaintiff's copyright in respect of the exclusive Satellite Television Telecast rights of the Malayalam Feature Film "MAHATHMA" also known as "Mahathma the Great" directed by Sri.Shaji Kailas and starring Suresh Gopi, and Ramya Krishnan and others, in whole or reproduction of any part thereof, by exploitation for public or private viewing by broadcasting on the first defendant's channel or on any other channel by satellite telecast.

b)Directing the first defendant to pay to the plaintiff damages amounting to a sum of Rs.5,00,000/- (Rupees Five Lakhs only) along with interest at 12 per cent per annum from date of plaint till date of realisation;

c)for costs of the suit;

This Civil Suit coming on this day before this court for hearing in the presence of Mr.Perumbulavil Radhakrishnan, Advocate for the plaintiff herein and Mr.Mukundan, for M/s.Y.Anil Kumar, Advocate for the defendants herein and upon reading the plaint filed herein and this court

having observed that the agreement against which this suit was filed had



expired on 09.12.2003 and hence, the matter has become infructuous and also, the learned counsel for the plaintiff herein having submitted that the matter has been settled between the parties and nothing survives in this suit,

it is ordered as follows:-

That the suit in C.S.No.100 of 1999 be and is hereby dismissed as infructuous; and

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

WITNESS THE HON'BLE MR.JUSTICE MUNISHWAR NATH
BHANDARI, CHIEF JUSTICE, HIGH COURT AT MADRAS
AFORESAID, THIS THE 3rd DAY OF MARCH 2022.

Sd./-

ASSISTANT REGISTRAR (O.S.I)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.



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29.03.2022

C.S.No.100 of 1999

ORDER:

DATED: 03.03.2022

THE HON'BLE MRS.JUSTICE
V.BHAVANI SUBBAROYAN

FOR APPROVAL:31.03.2022

APPROVED ON:01.04.2022



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2022

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

C.S.No.100 of 1999

Asianet Communications Ltd.
Represented by its Vice President
Mr.Prem Menon
No.1-C, Apex Plaza,
No.3, Nungambakkam High Road,
Madras - 600 034.

... Plaintiff

Vs.

1. Surya T.V.
A Unit of Sumangali Publications (P) Ltd.
Represented by its Managing Director
Mr.Kalanidhi Maran.

2. M/s.Prasad Productions Ltd,
Represented by its Joint Managing Director,
Mr.A.Ramesh Prasad.

3. Kalyani Cine International
Represented by its Proprietor
Mr.K.B.Radhakrishnan

... Defendants

Plaint filed under Sections 55 and 62 of the Copyright Act, 1957 read with Order IV Rule 1 of O.S. Rules, praying for a judgment and decree as follows :

a) a permanent injunction restraining the defendants, their agents, men, representatives, assigns and anyone whosoever claiming through the defendants from in any manner infringing the plaintiff's copyright in respect of the exclusive Satellite Television Telecast Rights of the Malayalam Feature Film "MAHATHMA" also known as "Mahathma the Great"



directed by Sri.Shaji Kailas and Starring Suresh Gopi and Ramya Krishnan and others, in whole or reproduction of any part thereof, by exploitation for public or private viewing by broadcasting on the first defendant's channel or on any other channel by satellite telecast.

b) directing the first defendant to pay to the plaintiff damages amounting to a sum of Rs.5,00,000/- along with interest at 12 percent per annum from the date of plaint till the date of realisation.

For Plaintiff : Mr.Perumbulavil Radhakrishnan

For Defendants : Mr.Mukundan
For Mr.Y.Anil Kumar

JUDGMENT

The agreement against which this application is filed is expired on 09.12.2003. Hence, the matter has become infructuous. Also, the learned counsel for the plaintiff would submit that the matter has been settled between the parties. Hence, nothing survives in this suit.

2. In view of the same, this Civil Suit is dismissed as infructuous.
No costs.

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

03.03.2022

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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