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C.S.(Comm.Div.) No.264 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2022

CORAM

THE HONOURABLE **MR.JUSTICE SENTHILKUMAR
RAMAMOORTHY**

C.S.(Comm.Div.) No.264 of 2020
and A.Nos.1104 of 2021, 1684 of 2022

Abirami Mega Mall Private Limited
No.4, Kasthuri Estate, 2nd Street,
Poes Garden,
Chennai 600 086
Represented by its Chief Executive Officer
Dr.P.Srinivasan

... Plaintiff

VS.

1.Clapboard Production
A partnership firm
Represented by its Partner
Ms.Gomathi Sathyamurthi
9H, Block 3, Ceebros Shymala Garden,
Arcot Road, Saligramam,
Chennai 600 093.

2.Vansan Movies
A partnership firm
Represented by its Partner
Mr.S.Sutharsan
Flat No.4B, 2nd Floor,

1/5



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Plot No.11, 50 feet Main Road,
MRK Nagar, Kolapakkam,
Chennai - 600 048.

3.YSR Films Private Limited
No.20/10, Lake Area,
6th Cross Street,
Nungambakkam,
Chennai 600 034
Represented by its Director
Mr.Yuvan Shankar Raja

... Defendants

PRAYER: Plaintiff filed under Order IV Rule 1 of O.S.Rules, 1956 Read With Order VII Rule I of Civil Procedure Code, 1908 and Read With Sections 55 and 62 of the Copyright Act, 1957 and the Copyright (Amendment) Act, 2012, Read With Section 7 of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, No.4 of 2016, prayed for Judgment and Decree:-

(i) A permanent injunction restraining the Defendants, its men, agents or any other person acting on its behalf from directly releasing the feature film titled "Maamanidan" in Over the Top Platforms or any such similar online / internet website / application / platforms without the completion of



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60 days from its first and general theatrical release as mentioned in clause 12 of the Feature Film Distribution Agreement dated 22.06.2020;

(ii) Direction to the Defendants to Jointly and severally pay a sum of Rs.1,22,50,000/- being the principle advance paid by the Plaintiff under the Feature Film Distribution Agreement dated 22.06.2020 along with an interest of 18% from 22.06.2020 till filing of the suit;

(iii) Direct the Defendants to pay the costs of the suit to the Plaintiff.

For Plaintiff : Mr.Keerthikiran Murali
for Mr.Arun C.Mohan

For Defendants : Mr.G.Veerapathiran for D2
Mr.Vijayan Subramanian for D3
No Appearance - D1

J U D G M E N T

Learned counsel for the plaintiff states that he has been instructed to withdraw the suit in view of the settlement between the parties.



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2. Accordingly, C.S.(Comm.Div.) No.264 of 2020 is dismissed as withdrawn without any order as to costs. Since the withdrawal is on account of a settlement, the plaintiff is entitled to refund of the full Court fee. Consequently, the connected A.Nos.1104 of 2021 and 1684 of 2022 are closed.

23.06.2022

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Index : Yes / No

Internet : Yes / No



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SENTHILKUMAR RAMAMOORTHY,J

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