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A.No.4589 of 2022
in C.S.(Comm.Div.)DR.No.112028 of 2022

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M.SUNDAR, J.

Captioned application has been taken out inter-alia under Clause 12 of the Letters Patent with a prayer to grant Leave to Sue (LTS).

2 In this order, the parties shall be referred to by their respective ranks in the main suit for the sake of convenience and clarity.

3 Mr.A.M.Venkatakrishnan, learned counsel along with Mr.T.Pandian of M/s.PK Law Firm, who is before this Court on behalf of the plaintiff, submits that this is a typical John Doe suit. Learned counsel submits that defendants 1 to 30 are 'Internet Service Providers' ('ISPs' for the sake of brevity) and defendants 31 to 40 are Cable Operators or Multi System Operators. To be noted, defendant No.41 has been given up and learned counsel on record for plaintiff has made an endorsement in the LTS application as well as in the intended plaint which reads as follows:

Endorsement made in captioned application :



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Defendants no 41 my is
be given up
Srinivas
12.10.2022
counsel for plaintiff

Endorsement made in plaint :

Defendant no-41 is
given up
Srinivas
12.10.2022
counsel for plaintiff

4 Mr.A.M.Venkatakrishnan, learned counsel draws the attention of this Commercial Division to paragraph 7 and submits that promotion has been communicated to all theatres all over India including Chennai and that websites and web pages of defendants are freely available for being communicated to general public all over India including Chennai. Learned counsel submits that defendants 1 to 3, 5 to



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13, 15 to 28, 31, 33 and 34 are carrying on business outside the territorial jurisdiction of this Commercial Division and that has necessitated the captioned LTS application.

5 This Court having perused the intended plaint is of the view that this Commercial Division has jurisdiction qua cause of action and this is a fit case for acceding to LTS prayer as answering LTS prayer in the affirmative is only an expression of intention to exercise jurisdiction over the entire suit. The sequiter is captioned LTS is ordered as prayed for.

17.10.2022

vvk



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Dated : 17.10.2022