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A.No.4908 of 2022
in C.S.(Comm.Div.)DR.No.120834 of 2022

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M.SUNDAR, J.

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

2 A perusal of intended plaint makes it clear that it is a typical relief against copyright infringement which has to come stay as 'John Doe suit' in litigation parlance. It pertains to a cinematographic film titled 'Banaras' in Tamil, Telugu, Hindi, Kannada and Malayalam languages.

3 Learned counsel Ms.Preetha Natarajan, submits that defendants 1 to 29 are Internet Service Providers (ISPs) and defendants 30 to 38 are Multi System Operators (MSOs) and/or Local Cable Operators (LCOs).

4 Learned counsel submits that defendants 1 to 14, 16,



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17, 20, 21, 23 to 29 and 35 to 38 are carrying on business outside the territorial jurisdiction of this Commercial Division and that has necessitated the captioned LTS application. According to learned counsel, that part of the cause of action which arises within the jurisdiction of this Commercial Division is theatrical release and one such theatrical release (illustratively speaking) is in PVR SPI Escape, Express Avenue, Chennai.

5 This Court having perused the intended plaint is of the view that this Commercial Division has jurisdiction qua part of 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.

04.11.2022

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Dated : 04.11.2022