



THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.08.2023

CORAM:

THE HONOURABLE Ms. JUSTICE **P.T.ASHA**

C.S. No.933 of 2006

S.Ponnusamy

.... Plaintiff

Vs

1.M.Sridharan, Proprietor,
Vijaya Cine Enterprises,
No.39, 48th Street,
9th Avenue, Ashok Nagar,
Chennai – 600 083.

2.S.Devi,
W.o.M.Sridharan,
No.39, 48th Street,
9th Avenue, Ashok Nagar,
Chennai – 600 083.

.... Defendants

PRAYER: This Civil Suit is filed under VII Rule 1 of the Code of Civil Procedure read with Order IV Rule 1 of Original Side Rules and Sections 55 and 62 of the Copyright Act, 1957 praying to pass a judgement and decree:

(a) decree of permanent injunction restraining the defendants, their men, servants and agents or any one claiming under them from in any manner



infringing the right of plaintiff by releasing or causing the release of the picture “SCARRED” - English and the Tamil Version of the same “Mirattum Thigil” at any place or on television or in any other mode without first giving the plaintiff 6 positive prints of the said picture for release in North Arcot, South Arcot and Chengalpet as known in the film trade and direct the defendant to pay the costs of the suit.

For Plaintiff : Mrs.A.L.Gandhimathi.

For Defendants : Mr.S.Sridharan

JUDGEMENT

The records would reveal that despite being an *ex-parte* evidence, the plaintiff has not appeared for adducing the evidence on 23.08.2021, 21.09.2021, 25.10.2021, 15.11.2021, 07.12.2021, 04.01.2022, 09.02.2022, 17.03.2022, 11.04.2022, 13.06.2022, 12.10.2022, 11.11.2022, 06.12.2022, 22.12.2022, 12.07.2022, 11.08.2022, 08.09.2022, 20.01.2023, 10.02.2023, 07.03.2023, 24.03.2023 and 13.04.2023.

2. Considering the fact that on none of the dates in all totalling 22, the plaintiff has appeared for adducing the evidence, it is clear that the plaintiff is



not interested in proceeding with the suit. Therefore, the suit is dismissed for default. No costs.

25.08.2023

Internet: Yes

Index: Yes/No

Speaking/Non-speaking order

Srn/apd



WEB COPY

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P.T.ASHA, J.

srn/apd

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