



A.No.971 of 2023

A.No.971 of 2023
in
CS.No.200 of 2019
and
OA.No.276 of 2019

S.SOUNTHAR, J.

Application in A.No.971 of 2023 is filed by the fourth defendant seeking leave of the Court to produce the documents mentioned in the schedule to the Judges summons.

2. The present suit has been filed by the first respondent seeking injunction restraining the applicant and others from infringing the copyrights of 215 movies mentioned in the schedule to the plaint. The applicant herein filed a written statement claiming right over the copyrights of all 215 films mentioned in the schedule to the plaint.

3. The learned counsel for the applicant submitted that the additional documents now sought to be produced before this Court are copies of the assignment agreement and lab letters relating to some of the suit schedule films. The learned counsel for the applicant further submitted that



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she is ready to produce the original assignment itself at the time of marking of some documents. It is also stated that in respect of additional Doc.No.18 dated 21.06.1999 the original of the same is not available with the applicant and the applicant may be permitted to mark the photo copies of the film.

4. The learned counsel for the first respondent vehemently opposed this application on the ground that the evidence of plaintiff's side is already over and the application is filed at that time of recording the evidence on the side of the defendants.

5. Considering the fact that the applicant herein claiming copyrights over suit schedule films, the documents which are sought to be produced before this Court are vital documents to comprehensively decide the issues involved in the suit, this Court is inclined to allow this application.

6. However, by taking into consideration the delay in producing the documents, the applicant is directed to pay costs of Rs.10,000/- (Rupees Ten Thousand Only) to the first respondent within a period of two



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weeks from today.

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7. It is made clear that the applicant shall produce the original documents at the time of marking before the Master for comparison. As far as Doc.No.18 is concerned, the same may be marked subject to the objection as to admissibility by the respondents.

8. All the documents that sought to be produced by way of additional evidence shall be marked subject to the proof, relevancy and the objection of the respondents. Accordingly, this application is allowed on condition that the applicant is making a payment of Rs.10,000/- to the first respondent towards costs of application, within two weeks from today.

17.04.2023

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