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C.S.No.32 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2023

CORAM

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

C.S. No.32 of 2015 and O.A. No.89 of 2015

M/s.Meena and Company
rep. by its Power of Attorney Holder
S.Chain Raaj

... Plaintiff

Vs.

1.M/s.Dream Theatres,
rep. by its Proprietor
Cheran

2.Cinema - 2- Home Network
represented by its Managing Director
Cheran

3.Gemini Colour Laboratory

... Defendants

PRAYER: Complaint filed under Order IV Rule 1 of Original Side Rules read with under Order VII Rule I of C.P.C. and read with under Sections 55 and 65 of the Copyright Act, 1957 prays for a judgment and decree as follows:

a)Permanent injunction restraining the defendants their men, agent, servant, etc. from in any manner infringing the copyright of the film “JK ENUM NANBANIN VAZHKA” owned by the plaintiff assigned under the agreement dated 23.02.2013, by releasing the film through Satellite Television, Terrestrial Television, Pay per view on DTH, ADSL, DVBT,



MMDS, DBS, SEABORNE, Airborne, Railborne, In-flight, ADSL, Cable wire, Wireless, any form of communication like signs, signals, writing, pictures or any other system in the form of VCD, DVD Rights, Laser Disc, Blue ray Disc Rights, etc. for the purpose of exploiting the film direct to home service;

b)Direct the defendant to pay the costs of this suit to the plaintiff.

For Plaintiff : Mr.R.Sivaraman

For Defendants : Ms.K.Sunitha for
Mr.S.Elambharathi for D1

JUDGMENT

The first defendant is the defendant against whom the suit prayer has been sought for by the plaintiff. The second and third defendants are formal parties. Even though a Memorandum of Compromise was filed by the plaintiff and the first defendant into the registry on 30.03.2021, the same was not put up in the court bundle and the Memorandum of Compromise could not be recorded by this Court earlier. Registry has now put up the Memorandum of Compromise in the Court bundle.

2.The Memorandum of Compromise dated 25.03.2021 has been signed by both the plaintiff and the first defendant's representatives and has been counter signed by the respective counsels. The plaintiff is now



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represented by a new counsel. In terms of the Memorandum of Compromise dated 25.03.2021, this suit is decreed. The Memorandum of Compromise dated 25.03.2021 shall form part of this judgment. Consequently, connected application is closed. No costs.

18.12.2023

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ABDUL QUDDHOSE,J

vga

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