



C.S.(Comm.Div.)No.114 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2023

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

C.S.(Comm.Div.)No.114 of 2022

and

O.A.No.326 of 2022

SP.Nagappan
Proprietor,
Video Park,
No.7, Janakiraman Street,
West Mambalam,
Chennai – 600 033.

... Plaintiff

Vs

1.Manoj Bhatnagar,
Proprietor,
Sameera Films,
No.1, SenthilAndavar Street,
Saligraman,
Chennai – 600 078.

2.R.Sumathi,
No.54, 5th Cross Street,
Trustpuram, Kodambakkam,
Chennai – 600 024.



C.S.(Comm.Div.)No.114 of 2022

3.M/s.A.P.Ineternational,
No.42, Old No.80, New Avadi Road,
Chennai – 600 010.

4.M/s.Vega Entertainment,
Flat No.201, Samvridi,
SiriSampada Building,
Ragavendra Colony,
Kondapur,
Hyderabad – 500 084.

5.M/s.Rajshri,
Poonam Chambers,
“B” Wing, 2nd Floor,
Dr.Annie Besant Road,
Worli, Mumbai – 400 018.

6.M/s.Sree Devi Video Corporation,
Rep by its Partner,
Mr.Ghanshyam Hemdev,
Old No.3, New No.5, Moktha Gardens,
Spur Tank Road, Chetpet,
Chennai – 600 031.

... Defendants

(6th defendant impleaded as per order dated
19.10.2022 in Appl.No.4049 of 2022)

Prayer: This Civil Suit is filed under Order IV Rule 1 of O.S Rules and Order VII Rule 1 C.P.C and Section 2(1)(c)(ix) of Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 (No.4 of 2016), prayed for a Judgment and Decree:-



C.S.(Comm.Div.)No.114 of 2022

a)Declaring that the plaintiff is the absolute owner of the limited copyright viz., the sole and exclusive internet rights of the Tamil colour Talkie picture titled “Endrendrum Kadhal”, starring Vijay, Ramba etc., directed by Manoj Bhatnagar for a period of 25 years from 03.02.2005, i.e, till 02.02.2030;

b)For a permanent injunction restraining the Defendants, their men, agents, successors, agents, assigns or anyone claiming through or under him from infringing the plaintiff's limited copyright viz., the sole and exclusive internet rights of the Tamil colour Talkie picture titled “Endrendrum Kadal”, starring Vijay, Ramba etc., directed by Manoj Bhatnagar for a period of 25 years from 03.02.2005, i.,e till 02.02.2030;

c)for costs of the suit.

For Plaintiff	: Mr.C.Ramesh
For Defendants	: D1 and D2 – Given up
	Mr.K.Harishankar for D3, 5 and 6
	Mr.Ramesh Ganapathy for D4



C.S.(Comm.Div.)No.114 of 2022

WEB COPY

JUDGMENT

The learned Counsel for the plaintiff and the defendants submits that the dispute in the suit has been settled out of Court. The plaintiff has also filed a memo to that effect. The memo filed by the plaintiff reads as under:

“1.The plaintiff submits that he has settled the dispute in this suit amicably with the 3rd defendant. The plaintiff states that pursuant to the amicable settlement, he has assigned the copyright in the suit film to the 3rd defendant under Agreement dated 19.12.2022.

2.The plaintiff submits that in view of the assignment of rights in favour of the 3rd defendant under Agreement dated 19.12.2022, the suit may be dismissed as settled out of Court.”



C.S.(Comm.Div.)No.114 of 2022

WEB COPY

2.Recording the above said submission, this Civil Suit is dismissed as settled out of Court. No costs. Consequently, connected Original Application is closed.

05.01.2023

Internet : Yes/No

Index : Yes/No

Speaking Order/Non-Speaking Order

jas



WEB COPY



C.S.(Comm.Div.)No.114 of 2022

C.SARAVANAN,J.

jas

C.S.(Comm.Div.)No.114 of 2022

and

O.A.No.326 of 2022

05.01.2023