



C.S.No.358 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2023

CORAM

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

C.S.No.358 of 2019

Mr.K.Balaji Kumar

..

Plaintiff

-VS-

1.M/s.Star Polaris,
Rep. By its partner Mr.V.Mathiyalagan,
No.181/6, MGY Babu Street,
Janaki Nagar, Valasaravakkam,
Chennai – 87.

2.M/s.Etcetera Entertainment,
Rep. By its partner Mr.V.Mathiyalagan,
No.33, Pasumpon Muthuramalingam,
Teynampet, Chennai – 18.

..

Defendants

PRAYER: Civil Suit is filed under Order IV Rule 1 of High Court O.S. Rules and Order VII Rule 1 of CPC read with Sections 55 and 62 of the Copyrights Act, 1957, read with Section 2(1)(c)(xvii) and proviso to Section 7 of Commercial Division and Commercial Appellate Division of High Courts Act, 2015, praying:-



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(a) for permanent injunction restraining the defendants, its agents, servants, assignee from releasing the movie produced by the first defendant titled as “Kolaiyuthir Kalam” and

(b) to pay the costs of the suit.

For Plaintiff : Mr.Ramesh Venkatachalapathy

For D2 : Mr.Vijayan Subramanian

JUDGMENT

The learned counsel for the plaintiff submits that since the movie “Kolaiyuthir Kalam” has already been released, the suit filed for permanent injunction to restrain the defendants from releasing the aforesaid movie has become infructuous and therefore, he seeks permission of this Court to withdraw the suit with liberty to proceed against the defendants in the manner known to law. To that effect, he has also made an endorsement in the Court bundle.

2. The learned counsel for the second defendant would submit that liberty may also be granted to the second defendant to raise all the objections available in the manner known to law, as and when any such suit



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is filed in the near future.

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3. After recording the endorsement made by the learned counsel for the plaintiff, the suit is dismissed as withdrawn. Liberty as sought for by the learned counsels for the plaintiff as well as the second defendant is granted.

No Costs.

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ABDUL QUDDHOSE, J.

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