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C.S. No.803 of 2015

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2024

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

**C.S. No.803 of 2015
and
O.A. No.1170 of 2015**

M/s. Nila Saatchi Productions,
Proprietary Concern,
Rep. by its Proprietor
Anwar Kabir

.... Plaintiff

VS

1. M/s.Own Productions,
Rep. by its Proprietor,
R. Ramkumar,
S/o. V. Ramachandran,
155/66, Rangarajapuram Main Road,
Kodambakkam,
Chennai – 600 024.

2. Era. Saravanan
15/66, Rangarajapuram Main Road,
Kodambakkam,
Chennai – 600 024.

3. M/s.Real Image Media Technologies Private Ltd.,
7B, 3rd Street,
Balaji Nagar,
Royapettah,
Chennai – 600 014.



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4. M/s.UFO Moviez India Limited,
33/1, Wallajah Road,
Chepauk,
Chennai – 600 002.

5. M/s. Prasad Xtreme Digital Cinema Network,
58, Arunachalam Road,
Saligramam,
Chennai – 600 093.

.... Defendants

Prayer : Complaint filed under ORDER IV, RULE 1 OF O.S. RULES, READ WITH ORDER VII, RULE 1 OF CPC, r/w Sec. 55 of Copy Rights Act, 1957 praying to pass a judgment and decree in favour of the plaintiff for the following reliefs :-

(i) Declaring that the plaintiff is the absolute owner of the Copyright of the Tamil Feature film titled “Kathu Kutti” starring Sunil Kumar @ Narein SK, Srushti and Soori and directed by Era Saravanan, the 2nd defendant herein and music composed by S. Maria Arul @ Aruldev;

(ii) Granting permanent injunction restraining the defendants, their men, agents, servants or any one claiming under them from releasing the Tamil Feature film “Kathu Kutti” starring Sunil Kumar @ Narein SK. Srushti and Soori and directed by Era Saravanan, the 2nd defendant herein and music composed by S. Maria Arul @ Aruldev in the entire World in Theatres or in any other form, Digital Mode / Technology or in any other medium on 01.10.2015 or on any other date without complying the payment terms contained in the Deed of Transfer signed on 3.3.2015 (wrongly typed as 24.2.2014) between the plaintiff and the 1st defendant herein;

(iii) Pay to the plaintiff costs of the suit; and



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(v) To pass such further or other orders as this Court may deem fit and proper in the facts and circumstances of the case.

For Plaintiff : No appearance

For Defendants : No appearance

JUDGMENT

The matter is listed under the caption "for dismissal", today. There is no representation on the side of the plaintiff once again. Even on the last hearing date i.e., on 25.11.2024, there was no representation on the side of the plaintiff. The suit is of the year 2015. It can now be inferred that the plaintiff is not interested in prosecuting this suit. Accordingly, this suit is dismissed for non prosecution. No costs. Consequently, connected application is closed.

04.12.2024

Index: Yes/ No
Speaking order / Non speaking order
Neutral citation : Yes / No
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ABDUL QUDDHOSE, J.



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