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C.S. (COMM. DIV.) No.76 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED: 18.11.2024

CORAM:

**THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE**

C.S. (COMM. DIV.) No.76 of 2024

and

O.A. No.257 of 2024

and

A. Nos.2447, 3281 and 3583 of 2024

C. Thayaparam

... Plaintiff

-Vs-

1. John Max  
Proprietor,  
M/s.Shalom Studios  
T11 & T12, Fourth Floor,  
Buhari Hotels,  
Hundred Feet Road,  
Ashok Nagar,  
Chennai – 600 083.

2. M/s.Sasikala Production,  
Rep. by its Partners,  
1<sup>st</sup> Floor,  
Deluxe Theatre Building,  
AVM Studio Lab Compound,  
No.7/38, Arcot Road,  
Vadapalani,  
Chennai – 600 026.



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3. Qube Cinema Technologies Pvt. Ltd.,  
Rep. by its Director  
No.42, Dr. Ranga Road,  
Mylapore,  
Chennai – 600 004.

... Defendants

**PRAYER :** PLAINT FILED UNDER ORDER VII RULE 1 OF CPC 1908 READ WITH ORDER IV RULE 1 O.S. RULES, 1956 R/W SECTION 55 & 62 OF COPYRIGHT ACT, 1957 AND SECTION 7 OF THE COMMERCIAL COURTS ACT, 2015. to grant a judgment and decree on the following terms :

a. An order of permanent injunction restraining the defendants, their men, agents, employees, or anyone acting through or under them, from proceeding with the promotion or release of the film 'KAA: The Forest' during the pendency of the present suit proceedings as per the terms and conditions stipulated in the Agreements dated 04.10.2019, 24.09.2020 and 27.01.2021.

b. An order directing the 1<sup>st</sup> defendant to pay a sum of INR 1,20,00,000/- to the plaintiff as per the terms and conditions stipulated in the agreement, dated 04.10.2019, 24.09.2020 and 27.01.2021.

c. An order directing the defendants to bear the costs of the suit.

d. Pass such further or other orders as this Court may deem fit and proper in the circumstances of the case and thereby render justice.



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|                |                                                                            |
|----------------|----------------------------------------------------------------------------|
| For Plaintiff  | : Mr.V.L. Akshai Sajin Kumar                                               |
| For Defendants | : Mr.Neethikumar for D1<br>Mr.S. Balasubramanian<br>for D2<br>D3- Given up |

## JUDGMENT

The learned counsel for the plaintiff is not pressing the relief as against the 3<sup>rd</sup> defendant. He has made an endorsement to that effect in the Court bundle. Accordingly, the suit filed by the plaintiff as against the 3<sup>rd</sup> defendant is dismissed as not pressed.

2. The remaining parties to the suit have arrived at a settlement. They have also filed a Memorandum of Understanding, dated 13.11.2024 before this Court. The said Memorandum of Understanding has been signed by the plaintiff as well as the defendants 1 & 2 and has also been countersigned by their respective counsels. In terms of the Memorandum of Understanding, dated 13.11.2024, the suit is disposed of as settled out of Court. The Memorandum of Understanding shall form part of this judgement. Consequently, connected applications are closed.



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WEB COPY 3. Registry is directed to refund the applicable Court fees to the plaintiff.

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Index: Yes/ No

Speaking order / Non speaking order

Neutral citation : Yes / No

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**ABDUL QUDDHOSE, J.**

vsi2

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and  
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