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C.S. (Comm. Div.) No.78 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.78 of 2024

and

O.A.No.259 of 2024 and A. No.2441 of 2024

G.Jayakumar

... Plaintiff

Vs.

1. John Max
2. M/s. Sasikala Production,
1st Floor, Delux Theater Building,
AVM Studio Lab Compound 7,
38, Arcot Road,
Vadapalani,
Chennai - 600 026.

... Defendants

PRAYER: Plaintiff filed under Order IV Rule 1 of O.S. Rules r/w. Order VII Rule 1 of C.P.C. read with Section 55 and 62 of the Copyright Act, 1957, Section 2 (1) (C) (xvii) First Proviso to Section 7 of the Commercial Courts Act, 2015 to pass a judgment and decree against the defendant as follows:

a) To declare that the Plaintiff is the copyright holder of the Tamil film titled "KAA -THE FOREST" starring Andrea Jeremiah and directed by Mr. Nanjil including but not limited to the exclusive World satellite broadcasting rights, including India and its connected Indian rights such as video, CD, LCD LD, internet, Blu-ray, Airborne, Sea, Surface Rights, Railborne, Transports Rights, Telephony, Mobile Phone, Blu-ray,



Doordarshan channels of National, Regional, Metro, SMS (audio and video messaging) MF (all channels), electronic and electric rights, HD, DVD, DTH, CCTV, etc.,;

b) To grant permanent injunction restraining the Defendants jointly or severally or their men, agents, assignees, licensees or any person acting through or under them from releasing the Tamil Film "KAA- THE FOREST", starring Andrea Jeremiah & directed by Mr. Nanjil through direct theatrical release within the territory of India or through any OTT platforms or any Satellite Television;

c) To direct the defendants jointly and severally to pay the cost of the suit.

For Plaintiff : Mr.S. Karthikei Balan

For Defendants : Mr.T. Thiageswaran
for M/s.Waraon and Sairams
for D1

Mr.S. Balasubramanian
for D2

JUDGMENT

The learned counsel for the plaintiff seeks permission of this Court to withdraw the suit as he would submit that the parties have settled the dispute out of Court. He has also made an endorsement to that effect in the Court bundle.



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2. Accordingly, this suit is dismissed as settled out of Court and refund of Court fee is ordered. No Costs. Consequently, the connected applications are closed.

18.11.2024

Index : Yes/No
Speaking Order : Yes / No
Neutral Citation Case: Yes / No
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ABDUL QUDDHOSE. J.,

ab

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**18.11.2024
(1/2)**