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C.S. No.925 of 1995

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2024

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

C.S. No.925 of 1995

O.K. Film, rep.
by its Proprietor
R.V. Mani

.... Plaintiff

VS

1. Pragaas Productions,
rep. by its Proprietor,
A.S. Prakasam,
34, Annanagar,
Madras – 600 040.

2. J. Felix,
3, Madha Church Road,
Mandavelipakkam,
Madras – 600 028.

3. Vijaya Colour Laboratory,
Arcot Road,
Madras – 600 026.

4. The Director,
Doordharshan Kendra,
Swami Sivananda Salai,
Madras – 5.

.... Defendants

Prayer : Complaint filed under Section 55 of the Copy Rights Act, 1957 and



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Order IV Rule 1 of the Original Side Rules, High Court, Madras read with Order VII Rule 1 of the Civil Procedure Code, 1908 praying for the following reliefs :-

(i) To declare that in respect of the suit picture Tamil Talkie Film titled SAADHANAI in 35 MM and 16 MM and in all other dimensions, featuring Shivaji Ganesan, Nailini and others Direction by A.S. Prakasam with music by Ilayah Raja, the plaintiff is the sole exclusive, authorised holder and owner which includes all the copy rights over the said picture including World Negative Rights. Leasehold rights of distribution exhibition and exploitation of the said picture in 35 MM.16 MM and in all other dimensions as also including World Television Rights, World T.V. Exploitation rights, World Satellite Television Rights and all other future advanced scientific technological rights, for the entire world for a period of 99 years from 24.09.1993.

(ii) For a permanent injunction restraining the defendant or their agents or men or assignees or any one representating him in any manner, interfering with the possession, enjoyment and exploitation by the plaintiff of his rights in the picture 'SAADHANAI' featuring Shivaji Ganes, Prabhu, Nailini and others directed by A.S. Prakasam, Music Illayah Raja in 35 MM and in all other dimensions inclusive of World Television Rights, World Video Exploitation rights, World Satellite Television rights as also other advanced scientific and technological rights.

(iii) To award costs of this suit and

(iv) To pass such other order or orders as this Court deems it just and proper in the circumstances of the case.



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For Plaintiff	: No appearance
For Defendants	: Mr.R. Krishnaswamy for D1

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 learned counsel for the 1st defendant is present. The suit is of the year 1995. 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.

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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