

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 15th DAY OF JUNE 2012

THE HON'BLE MR. JUSTICE R.SUBBIAH

O.A. No.358 of 2012

in

C.S. No.294 of 2012

Creative Commercials,
Media & Entertainment Ltd.,
22/9, Parthasarathy Puram,
North Usman Road, T.Nagar,
Chennai-600 017.

... Applicant/Plaintiff

-Versus-

1. Bharath Sanchar Nigam Limited,
Bharat Sanchar Bhavan,
Harish Chandra Mathur Lane,
Janpath, New Delhi-110 001.
2. Mahanagar Telephone Nigam Limited,
Jeevan Bharti Tower-I,
124, Connaught Circus,
New Delhi-110 001.
3. Bharti Airtel Limited,
Bharti Crescent,
1, Nelson Mandela Road,
Vasant Kunj, Phase II,
New Delhi-110 070.
4. Aircel Cellular Limited,
5th Floor, Spencer Plaza,
769, Anna Salai, Chennai-600 002.
5. Hathway Cable & Datacom Limited,
4th Floor, "Rahejas",
Main Avenue, Santacruz (W),
Mumbai-400 054.
6. Sistema Shyam Teleservices Limited,
MTS Tower, 3, Amrapali Circle,
Vaishali Nagar, Jaipur-302 021.
7. Vodafone India Limited,
Peninsula Corporate Park,
Ganpatrao Kadam Marg,
Lower Parel, Mumbai-400 013.

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8. Idea Cellular Limited,
Suman Tower, Plot No.18,
Sector 11, Gandhinagar,
Gujarat-382 011.
9. Reliance Communications Infrastructure Limited,
Dhirubhai Ambani Knowledge City,
Navi Mumbai-400 709.
10. Tata Teleservices Limited,
Jeevan Bharati Tower I,
10th Floor, 124, Connaught Circus,
New Delhi-110 001.
11. Tata Communications Internet Services Limited,
Tower 'C', 1st Floor, Plot No.C-21 & C-36,
'G' Block, Bandra-Kurla Complex,
Bandra (E), Mumbai-400 098.
12. O-Zone Networks Private Limited,
Ground Floor, C-45,
Green Park, New Delhi-110 016.
13. Tikona Digital Networks Private Limited,
3A, 3rd Floor, 'Corpora', L.B.S.Marg,
Bhandup (West), Mumbai-400 078.
14. BG Broadband India Private Limited,
Plot No.54, Marol Industrial Cooperative Area,
Off Andheri Kurla Road,
Andheri (East), Mumbai-400 059.
15. Sify Technologies Limited,
2nd Floor, "TIDEL PARK",
No.4, Canal Bank Road,
Chennai-600 113.
16. Beam Cable System (P) Ltd.,
B-2-610/A, Road No.10,
Banjara Hills, Hyderabad-500 034.
17. You Broadband & Cable India Ltd.,
2nd & 3rd Floor, IQARA Centre,
Near Gujarat Gas Circle,
Adajan-Hazaria Road,
Surat-395 009.
18. Asianet Satellite Communications,
2A, II Floor, Leela Infopark,
Technopark Limited, Kazhakkootam,
Thiruvananthapuram, Kerala-695 581.

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19. Data Infosys Limited,
Station Road, Durgapura,
Jaipur-302 018.
20. Readylink Internet Services Limited,
Galaxy, Plot No.7, Sakthi Colony,
RK Puram, Ganpathy, Coimbatore-641 006.
21. ISP Solutions India Private Limited,
No.9, 3rd Floor, Prabhakar Apartment,
Dr.Munusamy Garden Street, Avinashi Road,
Coimbatore-641 018.
22. Southern Online Bio Technologies Limited,
Flat No.A3, 3rd Floor, Office Block,
Samrat Complex, Saifabad,
Hyderabad-500 004.
23. Nettlinx Limited,
5-9-22, 3rd Floor,
My Home Sarovar Plaza,
Secretariat Road, Saifabad,
Hyderabad-500 004.
24. City Online Services Limited,
701, 7th Floor, Aditya Trade Center,
Ameerpet, Hyderabad-500 038.
25. Pioneer eLabs Limited,
Pioneer Towers, 7th Floor,
Plot No.16, Survey No.64,
Software Unit Layout,
APIIk, i-Tech City, Madhapur,
Hyderabad-500 080.
26. Amber Online Services Limited,
303 Crescent Towers, Masab Tank,
Hyderabad-500 028.
27. Vainavi Industries Limited,
No.147, Panchavati Colony,
Road No.10, Banjara Hills,
Hyderabad-500 034.
28. Virgo Global Media Limited,
9-1-93 & 84, Amarchand Sharma Complex,
S.D.Road, Secunderabad-500 003.
29. Southern Online Bio Technologies Limited,
Flat No.A3, 3rd Floor, Office Block,
Samrat Complex, Saifabad, Hyderabad-500 004.

AQ 004399

30. My Net Services India Private Limited,
#12, I Floor, IV Cross, Gandhipuram,
Pallipalayam, Erode-638 006.
31. Netcom Online Solutions India Private Limited,
Viswa Paradise, 23, 23/4 Kalidas Road,
Ram Nagar, Coimbatore-641 009.
32. Limras Eronet Broadband Services Private Limited,
164, Peters Road, Royapettah, Chennai-600 014.
33. RS Broadband Service India Private Limited,
AL-134, 2nd Street, 11th Main Road,
Anna Nagar, Chennai-600 040.
34. ABT Limited,
180, Race Course Road,
Coimbatore-641 018.
35. VIVA Communications Private Limited,
11A, East Abhiramapuram,
1st Street, Mylapore, Chennai-600 004.
36. Pulse Telesystems Private Limited,
51/52, Real Towers,
3rd Floor, Royapettah High Road,
Mylapore, Chennai-600 004.
37. Vishwashakti Technologies Private Limited,
5th Floor, No.8-2-630 to 636,
RMK Plaza, Road No.1 & 12,
Banjara Hills, Hyderabad-500 034.
38. Advanced Financial Services Private Limited,
46, Avenue 4, Street No.1, Banjara Hills,
Hyderabad-500 034.
39. Ashok Kumar,
Unknown Person, India.
40. Ashok Kumar,
Unknown Person, India.
41. Ashok Kumar,
Unknown Person, India.
42. Ashok Kumar,
Unknown Person, India.
43. Ashok Kumar,
Unknown Person, India.

AQ 004399

44. Ashok Kumar,
Unknown Person, India.

45. Ashok Kumar,
Unknown Person, India. ... Respondents/Defendants

Original Application praying that this Hon'ble Court be pleased to grant an order of temporary, interim, ad-interim injunction restraining the respondents and other unknown persons by themselves, their partners/proprietor, heirs, representatives, successors in business, assigns, distributors, agents or any one claiming through them from in any manner infringing the applicant's copyright in the cinematograph film/motion picture "DHAMMU" by copying, recording, reproducing or allowing camcording or communicating or allowing others to communicate or making available or distributing or duplicating or displaying or releasing or showing or uploading or downloading or exhibiting or playing and/or in any manner communicating the applicant's movie "DHAMMU" in any manner without a proper license from the applicant or in any other manner which would violate/infringe the applicant's copyright in the said cinematograph film "DHAMMU" through different mediums including CD, DVD, Blu-ray disc, VCD, cable TV, Direct to home services, internet services, multimedia messaging services, pen drives, hard drives, tapes, Conditional Access Systems or in any other like manner whatsoever pending disposal of the suit.

This Original Application coming on this day before this court for hearing in the presence of Mr.A.A.Mohan, Advocate for the applicant herein, and Mr.Mohan for M/s.King & Partridge, Advocates for the 11th respondent herein and upon reading the counter affidavit of R.Uma filed herein and the order herein dated 25/04/2012,

The Court made the following order:-

The order of interim injunction, dated 25/04/2012 is hereby clarified that the interim injunction is granted

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only in respect of a particular URL where the infringing movie is kept and not in respect of the entire website. Further, the applicant is directed to inform about the particulars of URL where the infringing movie is kept within 48 hours.

2. Further, the learned counsel appearing for the 11th respondent submitted that the 11th respondent has already merged with the Tata Communications Pvt. Ltd., and therefore, cause title to be amended. Hence, the applicant is directed to take necessary steps to amend the cause title in view of the above submission of the learned counsel for R11.

Post it along with the connected matters on 04.07.2012.

WITNESS THE HON'BLE THIRU M.YUSUF EQBAL, THE CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 15th DAY OF JUNE 2012.

Sd/-

ASSISTANT REGISTRAR (O.S.II)

//Certified to be true copy//

Dated at Madras this the 19th day of June 2012.

C. P. M. H. E.
COURT OFFICER (O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

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R-18.06.2012

T-18.06.2012

O.A. No.358 of 2012
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C.S. No.294 of 2012

ORDER

DATED:15.06.2012

THE HON'BLE MR. JUSTICE
R.SUBBIAH

FOR APPROVAL:18/06/2012
APPROVED ON:18/06/2012

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