

**A.No.443 of 2018**  
**in**  
**C.S.D.No.2743 of 2018**

**M.SUNDAR.J**

Main suit pertains to Copyright in a Cinematograph film titled "Pad Man" in Hindi language, starring Akshay Kumar, Sonam Kapoor, Radhika Apte and others, directed by R.Balki (hereinafter referred to as 'Said film').

2. Suit has been laid complaining of possible infringement of said film, which is to be released shortly.

3. To be noted, defendants 1 to 37 are Internet Service Providers (ISP) and Defendants 38 to 42 are Local Cable Operators (LCO). This Application is filed under Clause 12 of the Letters Patent seeking leave to sue, as defendants 1 to 3, 5 to 14, 16 to 30, 32 and 35 are residing and carrying on business outside the jurisdiction of this Court.

4. Cause of action paragraph in the plaint, being Paragraph No.11, reveals that the cause of action has arisen substantially within the jurisdiction of this Court. I deem it appropriate to extract the cause of action i.e., Paragraph No.11 of the plaint which reads as follows:

*"11. The cause of action for the suit arose when the said film "Pad Man" was completed and thereafter on various dates when the promotional material in respect of the said Film was*

*published in various newspapers, radio, television channels and websites and thereafter when the certification was granted from the Central Board of Film Certification for theatrical release of the said Film. The cause of action is likely to arise everyday de die in diem on account of the apprehended acts of infringement by the Defendants till they are restrained from facilitating access, copying, recording, reproducing, uploading, downloading or in any manner communicating the said Film/Work without any authorization from the plaintiff."*

In the light of the above, this Court expresses its intention to exercise jurisdiction over the entire suit. It is in exercise of powers of this Court under Clause 12 of the Letters Patent.

In the result, this application is allowed and leave is granted.

**22.01.2018**

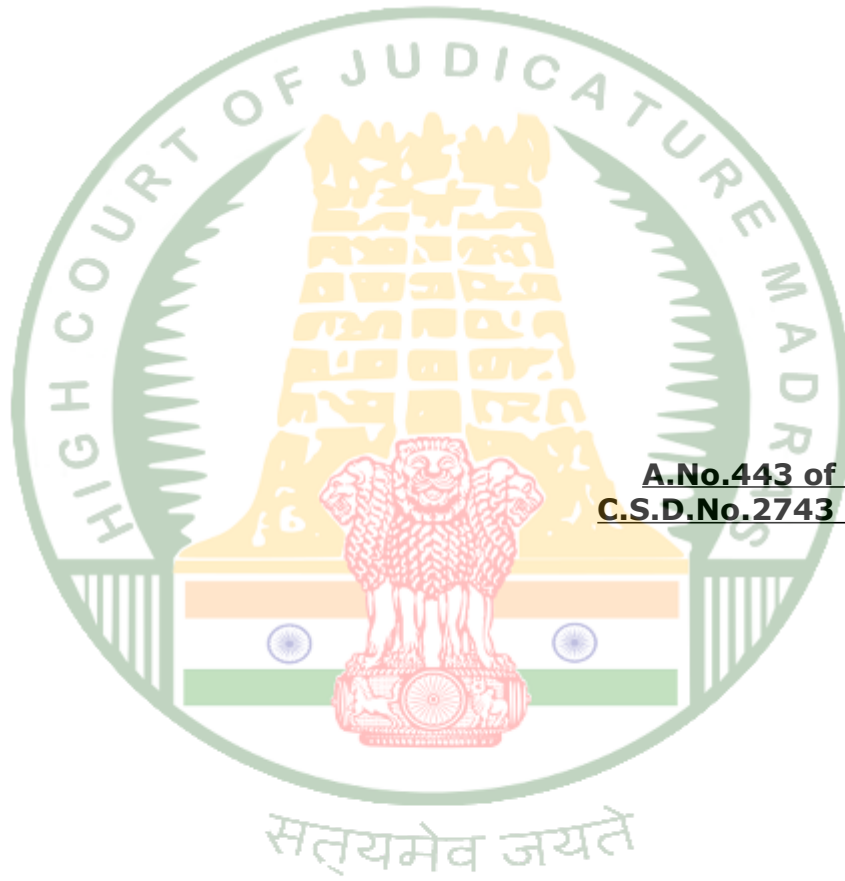
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