

Application No.1697 of 2018
in
C.S.D.No.9327 of 2018

M.SUNDAR,J.

Plaintiff in the main suit is the lone applicant herein. Defendants 1 to 42 in the main suit are respondents 1 to 42 in this application. Parties in this application are referred to by their respective ranks in the main suit for the sake of convenience and clarity.

2. Subject matter of the suit is a Cinematograph film titled "Pari" in Hindi language, starring Anushka Sharma, Parambrata Chatterjee, Rajat Kapoor, Ritabhari Chakraborty and others, directed by Prosit Roy (hereinafter referred to as "Said Film"). The said Film is an upcoming Hindi action film.

3. It is the specific case of the plaintiff that it has right to bring, extend or defend any proceedings related to the infringement in respect of the said film. It is also the case of the plaintiff that they have exploitation rights of the said film under Copyright Act, 1957.

4. Prayer in the plaint is *inter alia* for a direction of the Court to respondents 1 to 42 to block access to the applicant's Copyright protected cinematograph film "Pari". As the plaintiff does not have the benefit of Section 62(2) of the Copyright Act, 1957 (in this Commercial Division), to be noted plaintiff is residing/carrying on business outside the jurisdiction

<http://www.judis.nic.in> of this Court leave to sue has been sought qua defendants 1 to 3, 5 to

14, 16 to 30, 33, 35 to 38, who are residing and carrying on business outside the jurisdiction of this Court. To be noted, plaintiff is residing / carrying on business outside the jurisdiction of this Court. It is the specific case of the plaintiff that a substantial part of the cause of action has arisen within the jurisdiction of this Hon'ble Court, as according to the plaintiff, unauthorized copies of the aforesaid cinematograph film is accessed, uploaded and downloaded through internet all over India including Chennai, which is within the jurisdiction of this Court.

5. In the light of the narrative supra, leave to sue is granted under Clause 12 of Letters Patent. To be noted, this is an expression of intention to exercise jurisdiction over the entire suit. The jurisdiction is otherwise inherent.

This leave to sue application is ordered as prayed for.

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