

**Original Application No.580 of 2019**  
**in**  
**C.S.No.358 of 2019**

**KRISHNAN RAMASAMY, J.,**

The present Original Application has been filed seeking an order of interim injunction restraining the respondents/defendants or his agents, servants, assignee from releasing the movie produced by the first defendant titled as "Kolaiyuthir Kalam" pending the suit and pass appropriate orders.

2.1. The learned counsel appearing for the applicant submitted that the applicant is a Film director who directed the movie, "Vidiyum Mun" and also directed many commercial advertisements in India and in America. He would submit that the applicant was very much impressed by the novel viz., Kolayuthir Kaalam which was written by a famous Tamil writer Mr.S.Rangarajan who wrote novels in his pen name, "Sujatha" and the said novel was released in the year 1993. The learned counsel further submitted that since the applicant read that book in the year 2013, he was very much interested in making a film based on the said book.

2.2. The learned counsel also submitted that the said Tamil writer, Mr.S.Rangarajan/Sujatha died on 27.02.2008 and all his estates were survived by through his wife, Mrs.Sujatha Rangarajan and therefore, the applicant approached the wife of Mr.S.Rangarajan through his mother and the said Mrs.Sujatha Rangarajan agreed to sell

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the literary work, Kolayuthir Kaalam to the applicant's mother. The learned counsel would also submit that the applicant's mother and the said Mrs.Sujatha Rangarajan have entered into an agreement on 01.04.2014 and on 08.05.2018, the applicant's mother had died intestate and so, now the applicant is entitled for the literary work, Kolayuthir Kaalam.

2.3. The learned counsel fairly submitted that on 18.11.2016, vide Deccan Chronicle newspaper column, the applicant came to know that one Mr.Vashu Bhagnani and Mr.Deepshikha Dhiraj Deshmuk were producing the movie titled "Kolayuthir Kaalam" under the banner of Pooja Entertainment and Films Ltd., and so, the applicant issued a notice dated 27.11.2016 to the producer of that movie, stating that he is the owner of the copyrights of the novel, Kolayuthir Kaalam. He further submitted that after the receipt of the notice, there was no advertisement in newspaper about the said film, so no further action was taken by the applicant but in the month of April, 2019, once again, there was another advertisement in Dhina Thanthi newspaper daily that the said movie, "Kolaiyuthir Kaalam" is in the stage of completion and will be released by the defendants, so as soon as the applicant came to know about the same, immediately, he sent a notice to the defendants on 22.04.2019.

2.4. He would also submit that even after the receipt of notice, the defendants have taken no action to put-forth their case or refute the claim of the applicant but on the contrary, in spite of knowing fully

well that the applicant is the owner of the copyrights of the novel, Kolayuthir Kaalam, the defendant is trying to release the movie, titled, "Kolayuthir Kaalam" on 14.06.2019 and therefore, left with no other alternative, the applicant has filed the present application.

3. In the light of the above narrated facts, in my opinion, *prima facie* case has been made out by the applicant/plaintiff for obtaining an order of interim injunction. From the submissions made by the applicant's counsel, it is seen that the balance of convenience is in favour of the applicant. Having been satisfied with the reasons stated in the affidavit filed in support of the Application and also taking note of the facts and circumstances of the case, this Court is inclined to grant an order of interim injunction in this Original Application as sought for by the applicant. Accordingly, there shall be an interim order of injunction till 17.06.2019. The applicant is directed to comply with the procedures contemplated under Order XXXIX Rule 3 of Code of Civil Procedure.

4. Notice to the respondents through Court as well as privately returnable by 17.06.2019.

5. Post the matter on 17.06.2019.

**11.06.2019**

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**Note : Issue Order Copy on 12.06.2019**

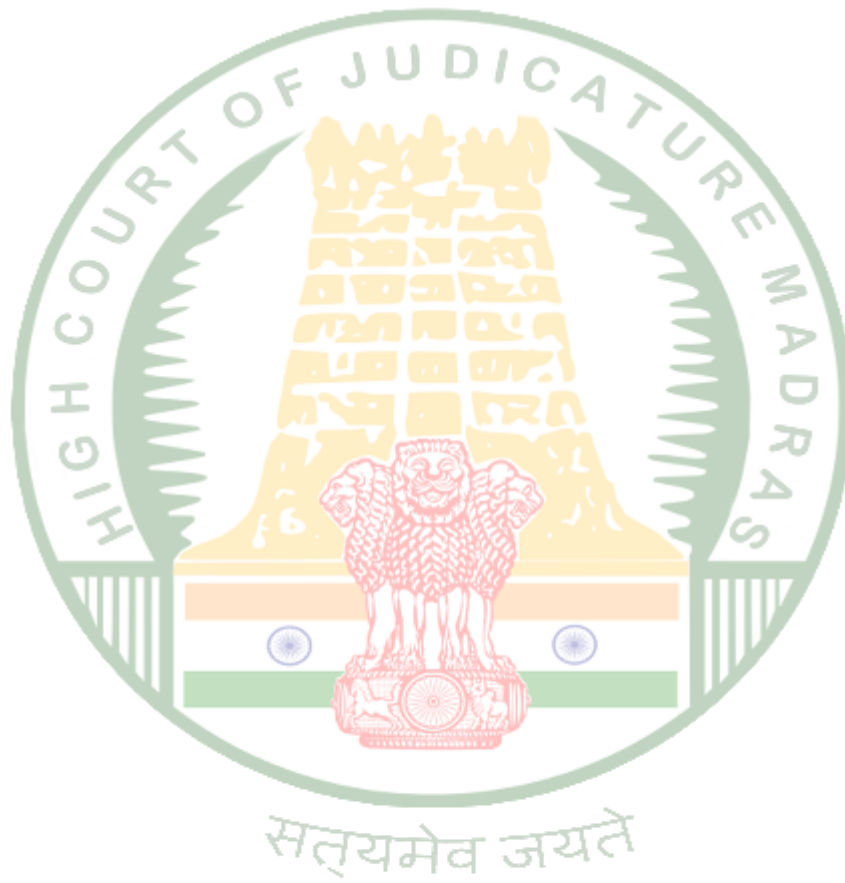
**KRISHNAN RAMASAMY, J.,**

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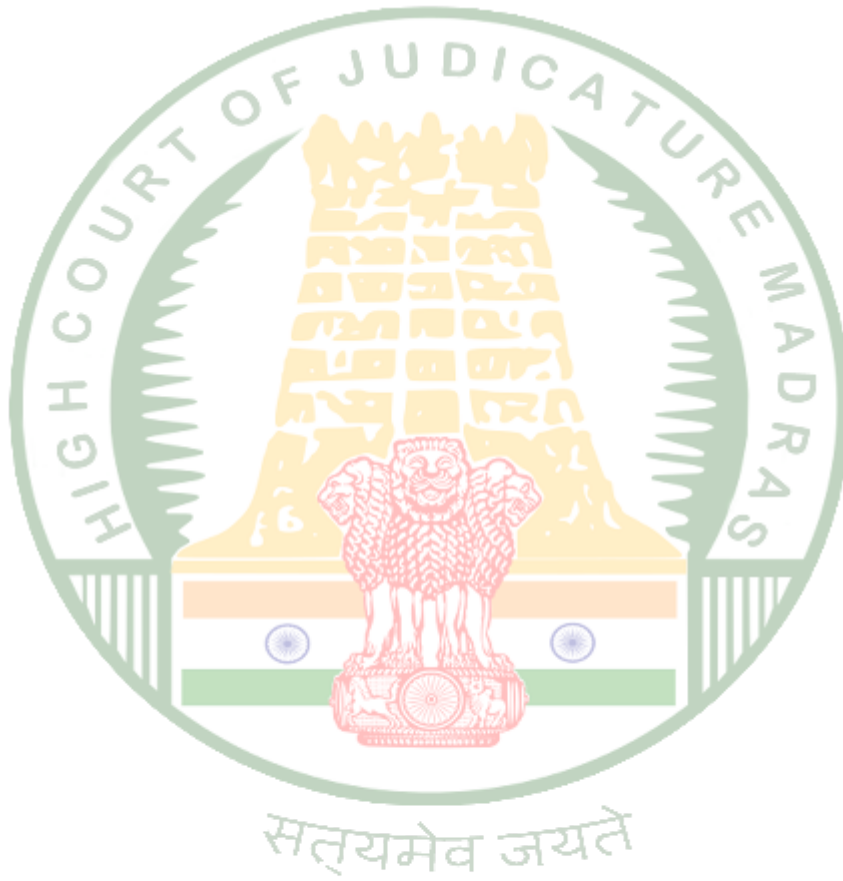


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