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O.A.Nos.433 and 434 of 2023
in C.S(Comm.Div.)No.114 of 2023

S.SOUNTHAR, J.

The applicant is the producer of the latest cinematographic film titled “Ponniyin Selvan: II”. The film is scheduled to be released on 28.04.2023. The applicant has acquired all exploitation and distribution rights including theatrical rights, music rights, other rights including TV, internet, digital and home video etc.

2. The Respondents 1 to 29 in O.A.No.434 of 2023 are Internet service providers and the Respondents 1 to 9 /Defendants 30 to 38 in O.A.No.433 of 2023 are cable TV operators.

3. It is asserted by the applicant that various cable TV operators and Internet service providers across the world are involved in the activities of recording, cam cording and reproducing the audio songs, audio-visual clips,



audio-visual songs and full cinematographic films that are screened in theatres. If such copied version of the above said film are distributed to the general public for meagre sum without any leave or authorisation from the applicant, it would cause irreparable loss and hardship to the applicant. The applicant apprehends that 3888 websites mentioned in Schedule of the plaint have the potential to upload and enable third parties to copy, reproduce, distribute, display the pirated version of the said film to the third parties.

4. The applicant has instituted this suit as a quia timet action on account of reasonable apprehension about the acts of infringement. Therefore, the applicant has made out a *prima facie* case for grant of interim injunction. If the pirated version of the above said film is transmitted to the general public, it would cause irreparable loss and injury to the applicant. Hence, the balance of convenience is also in favour of the applicant.



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5. Accordingly, there shall be an order of injunction till 07.06.2023.

Notice to respondents, returnable by 07.06.2023. Private Notice is also permitted. The applicant shall comply with the provisions of the Order XXXIX Rule 3 of C.P.C.

28.04.2023

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Note: Issue order copy on 28.04.2023



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