

BEFORE THE ADDITIONAL MASTER-II

HIGH COURT, MADRAS

C.S.No. 31 OF 2010

Date : 13.02.2025

Time : 12.15 P.M.

Name : Ilaiyaraaja (DW3)

Age : 81 Years

Father's Name : Late Mr.Ramaswamy

Residing Address : New No.2C, Old No.38, Murugesan Street, T.Nagar,
Chennai – 600 017.

DW1 Examined in chief by Learned counsel for the 3rd Defendant
Mr.K.Thyagarajan.

Solemnly Affirmed:

I am the 3rd Defendant in this case. I am well acquainted with the facts of this case. I am filing my proof affidavit and the same may be treated as my evidence in chief examination.

DW1 Cross Examined by Learned Senior counsel for the 1st Defendant
Mr.P.R.Raman.

Q1 : Was the 1st defendant entity run by your wife ?

A: Yes, it was started for taking care of my day to day affairs. It was not connected to my professional activities.

Q2 : For what purpose D1 was run by your wife?

A: It was mainly to arrange my day to day affairs including filtering public access to me.

Q3 : Did you know 1st defendant was also doing business activities ?

A: No I did not Know.

Q4 : You have stated in your proof affidavit that your creative work would be selected by the producers of feature film who then makes the cinematographic film and incorporate your creative work into the film You have added that you only gave permission to such producer to use your work and you did not part with the copyrights?

A: Yes.

Q5 : Do you have any documents to support what you have claimed about not parting with the copyrights position?

A: No, Because I never signed any agreement with the producer's of the film.

Q6 : You stated there was no negotiation for salary rate per song with the producer. Kindly tell the court whether you have been remunerated for your creative works by the producers who used your used such works?

A: During recordings I had always orchestrate including musician artist backup singer etc., the money that was received from producer went to meeting such expenses. But not for myself. It could also be received for me to extract the work from various artists one by one or together since i have prepared the score and sent it but they would required my personal supervision to bring out the composition. This includes the workdone by the sound engineer who also be supervised by me. Depending on the situation there may be up to 80 persons in the orchestra (Counsel for 3rd defendant side interfered which is not required.)

Q7 : Who would disburse amount received from producers ?

A: One or two assistants used to receive.

Q8 : In whose name the producers used to transfer the funds ?

A: In those days only cash payments were received rarely cheques use to come. I don't remember details.

Q9 : (The Witness is shown Ex.P2) Have you seen this documents?

A: I never authorized her (my wife) to sign.

Q10 : (The Witness is shown Ex.P2 in Page No.10) there is a mention about one D.Raja?

A: I am D.Raja.

Q11 : I suggest to you that you and your wife were partners in the 1st defendant?

A: No. My wife was running it by herself.

Q12 : There have been several music release functions, Film release functions including where the 1st defendant name was prominent being associated as a business entity to your knowledge. Also audio cassettes with the label of the 1st defendant had been released on multiple occasions to your knowledge and the 1st defendant was not merely as you say meant for looking after your day today affairs?

A: I deny.

Q13 : How do you say even assuming rights were transferred under Ex.P2, since this D.Jeevaraja has passed away, such an agreement would be invalid?

A: Through my experience, from my past litigations.

Q14 : How many bungalows have you purchased in your life?

A: I Have no idea because I was not concentrating on worldly things, I dedicated myself to music. (counsel for defendant's side objected as it is irrelevant)

Q15: Before your attained stardom in film industry where were you living?

A: (counsel for defendant's side objected as it is irrelevant) I don't no when I attained the fame.

Q16: At what age did you come to Chennai?

A: (counsel for defendant's side objected as it is irrelevant) In 1968. I sailed with Bharthiraja and myself came to Chennai. I stayed with Bharthiraja's in his room. After staying with Bharthiraja, I went to meet one Sangilimurugan to seek for a chance.

Q17: When did you purchase your own house for residence?

A: I don't remember. After working for some time I saved money and purchased house.

Q18: When did you acquire office, recording studio?

A: I do not have office nor recording studio. I am still residing in the same house I am purchased for the first time at 2C, Murugesan street, T.Nagar.

Q19: Have you purchased any other property perhaps beach house?

A: That my wife was looking after and she purchased.

Q20: When did she purchase?

A: I don't remember.

Q21: For how much did you buy?

A: I don't remember.

Q22: Was your wife earning independently?

A: No she was not employed anywhere.

Q23: What have you done with the beach house ?

A: It is no longer there. They must have sold it.

Q24: Is it correct that you earned Name, Fame, and Fortune from film industry?

A: Yes.

Q25: Other than film industry have you earned from any other sources?

A: No. Only film industry.

Q26: I suggest to you that your testimony that you have not negotiated salary with the producers for composing music, that you have never received from such producers any amount directly and that you have not parted with the copyrights to such producers is bereft of truth. What do you say?

A: I deny.

Q27: I suggest to you that whether you had already composed music which the directors selected for use in cinematographic film made by the producers or you composed as per the situation narrated to you, the moment you receive remuneration, the copyrights passes hands and belongs to the producers. What do you say?

A: I deny.

Time : 01.10 P.M.

Taken down in open Court, read over and explained to the witness and the same is admitted by the witness to be correct and signed before me.

ADDITIONAL MASTER-II