



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2026

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THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

**Arb Appln Nos. 1244 & 1245 of 2026 and
Application No.2438 of 2026
in O.A.No.283 of 2023**

Arb Appln Nos. 1244 & 1245 of 2026

1.K Punniyamoorthy
S/o.G.Kannan,
Residing at 5-B River Heights Apartments,
315, Valluvar Kottam High Road Nungambakkam,
Chennai-600034.

2.K Premkumar, S/o. G.Kannan,
Residing at 5B River Heights Apartments,
315, Valluvar Kottam High Road Nungambakkam,
Chennai-600 034.

..Applicants

Vs

1.M/s. Escape Artists Motion Pictures
Rep. by its Sole Proprietor Mr.Madan Pandey
No.69-A, Habibullah Road,
T.Nagar, Chennai-600017.

2.Gautham Vasudev Menon
No.613 Gandhi Street, Kanagam,
Taramani, Chennai-600 113.

3.S. Venkataraman,
S/o. Mr.Somasundaram
Old No15, New No 44-46, Rathinam Street
Gopalapuram, Chennai-600 086.



4.M/s. Kondaduvom Entertainment
A Partnership firm,
Rep. by its partner Mr.Gautham Vasudev Menon,
69A, Habibullah Road,
T. Nagar, Chennai-600 017.

..Respondents

Prayer in Arb.Appln.No.1244 of 2026 : Application is filed under Order XIV Rule 8 of O.S.Rules Read With Section 9(i)(e) of the Arbitration and Conciliation Act, 1996, to modify the order dated 30.04.2026 passed in OA.No.283 of 2023, by including the claim of Rs.10.22 crores payable to the Applicants herein as per the Compromise Decree dated 03.04.2018 in OP No.932/2017 in the list of payments to be made to the parties who hold the court orders as per the order of this Hon'ble Court or in the alternative, direct the Advocate overseers / observers to ear mark and retain a sum of Rs.10.22 crores representing the Applicants admitted entitlement under the compromise Decree dated 03.04.2018 in OP.No.932/2017 and not disburse the said amount without permission from this Hon'ble Court.

Prayer in Arb.Appln.No.1245 of 2026 : Application is filed under Order XIV Rule 8 of O.S.Rules Read With Section 9(i)(e) of the Arbitration and Conciliation Act, 1996, to modify the order dated 30.04.2026 passed in OA.No.283 of 2023, by incorporating that the Advocate overseers/observers shall with the assistance of an independent auditor, verify all alleged creditors and amounts mentioned in paragraphs 3,5,6 and 7 of the 4th Respondent's Affidavit dated 27.04.2026 and shall recognize as pre-release movie liabilities only such sums as are found to be genuine and directly related to the production and exploitation of "DHRUVA NATCHATHIRAM" and actually advanced to the 4th Respondent.



In both Arb. Applns:

For Applicants : Mr. S.R.Rajagopal, Senior Advocate

for M/s.Surya Teja S S Nalla

For R1 : Ms. Inthu Karunakaran

For R2 & R3 : Mr. A. Abdul Hameed, Senior Advocate

for M/s. AAV Partners

For R4: Mr. T.R.Rajagopalan, Senior Advocate

for Ms.Revathi Manivannan

For Observers: Mr. M.V.Swaroop

Mr. H.S.Hredai

For 2nd Applicant in O.A.No.283 of 2023 : Mr. S.R.Sundar

for Ms. S.R.Subaashini

A.No.2438 of 2026

1.Gautam Vasudev Menon
No.61/3 Gandhi St, Kanagam,
Taramani, Chennai 600113.

2.Mr.S.Venkatramanan
S/o.Mr.Somasundaram,
Old No.15, New No.44 and 46,
Rathinam Street, Gopalapuram,
Chennai -600 086.

3.M/s.Kondaduvom Entertainment
Rep by its Director Mr.Gautham Vasudev Menon,
69/A, Habibullah Road,
T.Nagar, Chennai - 600 017.

Vs

..Applicants



1.K Punniyamoorthy

2.Mr.K.PremKumar

(R1 and R2 are residing at 5-B, River Heights Apartments, 315, Valluvar Kottam High Road, Nungambakkam, Chennai 600 034.)

3.M/s.Escape Artists Motion Pictures

Rep.by its Sole Proprietor Mr.Madan Pandey,

No.69A, Habibullah Road, T.Nagar,

Chennai 600 017.

..Respondents

Prayer in A.No.2438 of 2026: Application is filed under Order XIV Rule 8 of the OS Rules read with Section 9(i)(e) of the Arbitration and Conciliation Act, 1996 to grant an additional time of 30 days to the Applicants to release the movie 'Dhruva Natchathiram' on or before 15/07/2026, in terms of the Order dated 30/04/2026 passed by this Hon'ble Court in O.A.No.283 of 2026.

For Applicants:

Mr. A.Abdul Hameed, Senior Advocate
for Ms. Anbarasi Rajendran
for M/s.AAV Partners

For R1 & R2:

Mr. S.R.Rajagopal, Senior Advocate
for M/s.Surya Teja SS Nalla

For R3:

Ms.Inthu Karunakaran

For Observers:

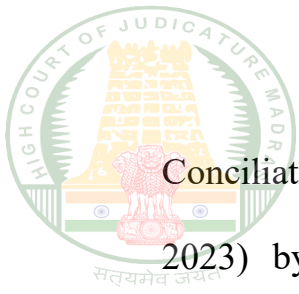
Mr.M.V.Swaroop
Mr.H.S.Hredai

For 2nd Applicant in
O.A.No.283 of 2023:

Mr.S.R.Sundar
for Ms.S.R.Subaashini

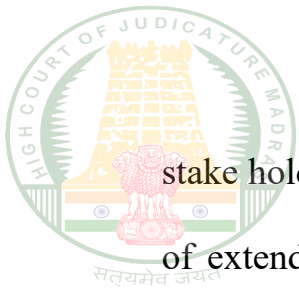
COMMON ORDER

M/s K.Punniyamoorthy and K.Prem Kumar (the Original Applicants) had applied, at the pre-reference stage, under Section 9 of the Arbitration and



Conciliation Act, 1996 (the A&C Act) for an interim injunction (O.A.No.283 of 2023) by invoking the arbitration clause in an agreement with the first respondent. Said application was to restrain the release of the Tamil movie 'Dhruva Natchathiram'. Referring to clause (iv) of the Memorandum of Understanding dated 03.04.2018 (the MoU) between the Original Applicants and the first respondent, which provides for the transfer of the 50% share of Mr. Madan Pandey/first respondent in 'Dhruva Natchathiram' to the Original Applicants, initially an order of an ad interim injunction was granted on 03.04.2023 just prior to the scheduled release of the movie and such order was extended from time to time. Arbitral proceedings were not initiated pursuant thereto, but the interim order continued in force.

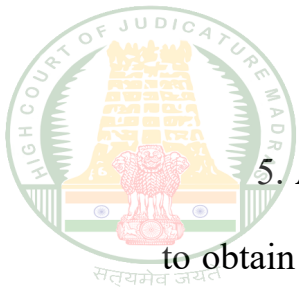
2. Thereafter, extensive arguments were made on the merits of the application under Section 9 of the A&C Act. In response to the monetary claim of the Original Applicants for a sum of Rs.10.22 crores from Escape Artists Motion Pictures, which is a proprietary concern of Mr. Madan Pandey, learned counsel for the first respondent referred to the above mentioned clause (iv) of the MoU to contend that only a share of profit was assigned and that the money claim is untenable. Various third party creditors also intervened in the matter and contended that the movie should not be released without making payments due to them under orders of Court or orders of arbitral tribunals. After considering the facts and circumstances, recognising that the interest of several



stake holders were involved and that the balance of convenience is not in favour of extending the order of interim injunction, pending determination of parties rights in arbitral proceedings, order dated 30.04.2026 was issued for the creation of a dedicated account into and out of which all credits and debits relating to the movie 'Dhruva Natchathiram' would be made. This order should be read in conjunction with and in continuation of earlier order dated 30.04.2026.

3. The Original Applicants carried order dated 30.04.2026 in appeal. The appellate court refused to interfere with the order but permitted the appellants to file a modification application. The modification applications have been filed pursuant thereto. Meanwhile, respondents 2 to 4 in O.A.No.283 of 2023 have applied for an extension of time for the release of the movie.

4. Learned Senior Counsel for the Original Applicants submits that the amounts stated to be payable to Mr.Jaswant Bhandari, Mr.Vijay Kothari and M/s SPM Arts LLP in the affidavit dated 27.04.2026 of Mr.Gautam Vasudev Menon are incorrect. He has handed over a chart stating that Mr.Vijay Kothari did not provide a loan or advance any amount for the production of 'Dhruva Natchathiram'. In the alternative, he submits that security should be provided by the respondents for the monetary claim of Rs.10.22 crores.

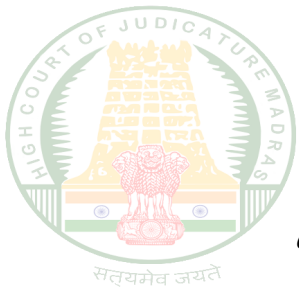


5. At the hearing on 25.06.2026, Mr.A.Abdul Hameed requested for time to obtain instructions as to whether the observers could verify the amounts said to be payable to creditors in relation to 'Dhruva Natchathiram'. At today's hearing, an affidavit affirmed on 29.06.2026 has been filed. Paragraphs 2 to 5 thereof are set out below:

"02. Without prejudice, I have no objection in the documents produced by me in the sealed cover during the hearing dated 28.04.2026, in relation to the amounts shown as debts and Creditors/Vendors/Decree Holders, whose names are mentioned in Paragraph Nos.3, 4, 5 & 6 of the Affidavit dated 27.04.2026 be forwarded to the Learned Observers / Overseers for ensuring the correctness / truthfulness of the amounts mentioned in the aforesaid Affidavit.

03. I submit that, in case any clarifications is needed/sought by the Learned Observers/Overseers, I may be permitted to place such further or other documents and materials before the Learned Observers/Overseers, as may be required, to establish the correctness/truthfulness of the amounts mentioned in the aforesaid Affidavit.

04. I submit that, the Learned Observers/Overseers shall release, from and out of the designated Bank Account opened by the 4th Respondent, amounts as he finds payable towards debts of the 4th Respondent, arising out of the movie



“Dhruva Natchathiram”, to the persons referred to in the aforesaid Affidavit.

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05. I submit that, the Learned Observers/Overseers be directed to complete the aforesaid exercise within a period of 10 days, from the date of this order to be passed by this Hon'ble Court in this regard. ”

6. Mr. T.R.Rajagopalan, learned Senior Counsel, submits that the Original Applicants cannot re-argue O.A.No.283 of 2023 in the guise of an application for modification. He submits that no modification is necessary in respect of order dated 30.04.2026.

7. In the operative paragraph of order dated 30.04.2026, it was recorded at clauses (iii) and (v) thereof that all debits from the dedicated account shall be made with the prior consent of the observers/overseers. Since objections have been raised with regard to the veracity of amounts specified as payable to the creditors in the affidavit of Mr.Gautham Vasudev Menon, I am of the view that a limited modification is warranted by directing the observers/overseers to examine documents relating to the loans/advances received from said creditors so as to verify and confirm that amounts stated to be payable to them are indeed payable. All necessary documents in this regard shall be provided to the observers by respondents 2 to 4. Said verification shall be carried out and



completed within a maximum period of 15 days from today. Debits shall be permitted only to the extent the amounts are found to be correct. The observers are granted leave to apply to Court in case any clarification is required.

8. Said order dated 30.04.2026 also directed the fourth respondent to release the movie on or before 15.06.2026. Respondents 2 to 4 have requested for an extension of this time limit on the ground that the movie could not be released before the earlier scheduled date in spite of the exercise of best efforts. After examining the reasons set out in the affidavit in support of said application for extension and being satisfied that sufficient cause is shown, the time limit for release of the movie is extended up to 31.07.2026. These three applications are disposed of on these terms.

KJ

30-06-2026



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SENTHILKUMAR RAMAMOORTHY J.

KJ

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