

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2016

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE MR. JUSTICE M.M.SUNDRESH

O.S.A.Nos.124 and 125 of 2015

M/s.Sri Sai Ganesh Produciton Pvt. Ltd.,
represented by its Director Bellamkonda Suresh
No.16-B, Road No.7, Film Nagar,
Jubilee Hills,
Hydrabad - 500 034. .. Appellant in both O.S.As

versus

1.Thirupathi Brothers Film and
Media Pvt., Ltd.,
represented by its Director
Mr.Subash Chandra Bose,
No.16, Lamach Street,
Janaki Nagar, Valasaravakkam,
Chennai 600 087.

2.M/s.Lakshmi Narasimha Productions
Partner, Mr.Bellamkonda Suresh
No.16-B, Road No.7, Film Nagar,
Jubilee Hills, Hydrabad 500034.

3.Prime Focus,Film Nagar,
Jubilee Hills, Hydrabad 500 034.

4.Real Image Media Technologies Pvt., Ltd.,
No.317/1/b, MLA's Colony,
Road No.12, Banjara Hills,
Hydrabad 500034.

5.UFO Moviez India Ltd.,
Plot No.249, Road No.12, Prashan Nagar,
Jubilee Hills, Hydrabad 500 034.

(Respondents 2 to 5 are given up
in this appeal since no relief is prayed
for as against them) .. Respondents in both O.S.As.

Appeals filed under Order 36 Rule 1 of Original Side Rules, against the Order dated 04.12.2014 made in A.No.5318 and 5317 of 2014, on the file of this Court.

For Appellant	.. Mr.P.L.Narayanan in both appeals
For Respondents	.. Mr.M.L.Joseph in both appeals for Chennai Law Associates (Caveator)

J U D G M E N T

(Judgement of the Court was delivered by The Hon'ble Chief Justice)

Learned counsel for the respondents states that both the appeals have become infructuous because the appellant has floated the orders and released the film. However, we may note that the appellant raises the issue about the existence and validity of the Arbitration inter se the parties arising from the inclusion of such a clause in the Memorandum of Understanding dated 03.04.2012, but not in the subsequent agreement dated 24.11.2012.

2. It is agreed that it would be that issue to be examined in the petition filed by the petitioner under Section 11 of the Arbitration and Conciliation Act, 1996.

3. It has already been preferred by the respondents, though none had appeared for the appellant in those proceedings, but orders were deferred in view of the pendency of the present proceedings and that Original Petition is also shown on the Board today.

4. The appeals are thus disposed of as infructuous, leaving the question open qua the existence and validity of the Arbitration Agreement.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

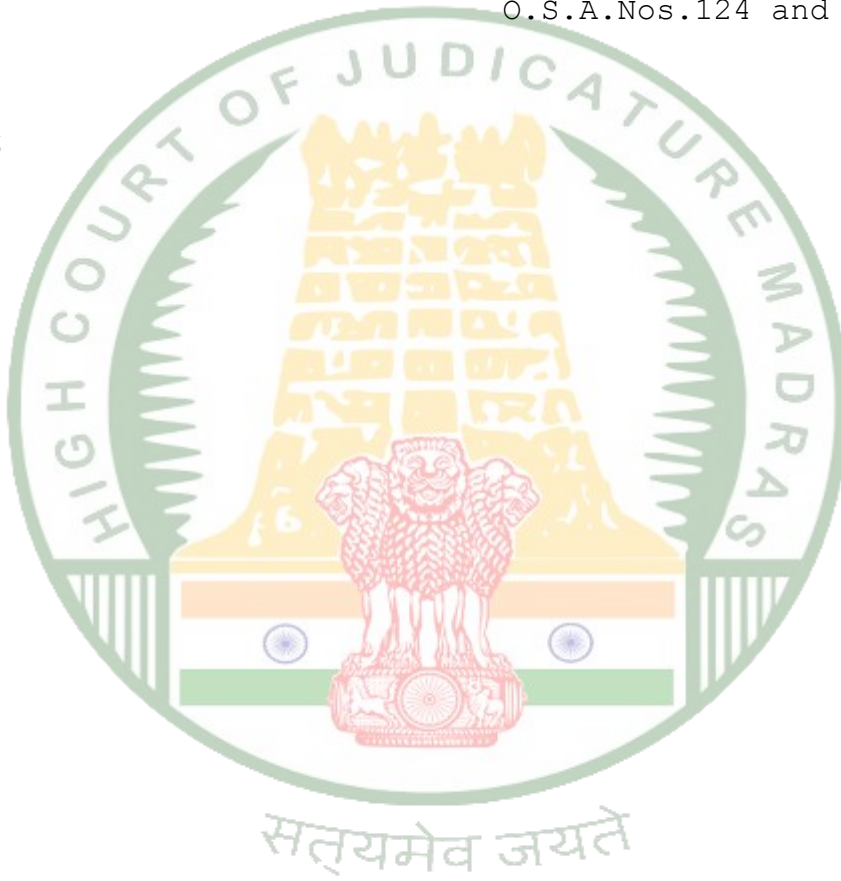
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TO

The Sub Assistant Registrar,
Original Side, High Court, Madras.

O.S.A.Nos.124 and 125 of 2015

TEJ(CO)
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