

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.02.2017

CORAM

THE HONOURABLE DR. JUSTICE S.VIMALA

C.M.A. No.576 of 2017

and

CMP.No.3410 of 2017

Bajaj Corp. Ltd.,
Represented by its Managing
Director
Having Place of business at:
Shiva Agencies, 92/4-B, North
Avenue, Muthamizh Nagar,
Chennai- 600 118. ... Appellant

Versus

1. K.M.Anand
2. Zee Entertainment Enterprises
Limited (Zee TV & Zee Cinema)
Represented by its Managing
Director, No.150 & 151, Alpha
Centre, 2nd Floor, Opposite
Murugan Idli Shop, North Usman
Road, Chennai-600 017
3. Viacom 18 Media Private
Limited (Colours TV) represented
by its Managing Director
Viacom 18 Media Pvt. Ltd/Prism
TV Pvt. Ltd., Apeejay Business
Centre, Apeejay House, 39/12,
Haddows Road,
Nungambakkam, Chennai- 600 006.
4. Star India Private Limited (Star Plus)
Represented by its Managing
Director
Vijay House, 1st Floor, 15,
Jaganathan Road,
Nungambakkam, Chennai-600 034 Respondents

Appeal filed under Section 104 Read With Order XLIII Rule 1 (r) of the Code of Civil Procedure against the order dated 18.01.2017, in I.A.No.624 of 2017 in O.S.No.216/2017, passed by the 16 th Additional Judge, City Civil Court, Chennai.

For Appellant : Mr.Karthik Seshadri
for Ms. Iyer and Thomas

For Respondent : Mr.J.Sivanandaraj
R1 Senior Counsel for
Mr.J.SaravanaKumar

J U D G M E N T

The appellant herein is the first defendant before the trial Court.

2. This Civil Miscellaneous Appeal has been filed by the appellant/first defendant challenging the order, dated 18.01.2017, in I.A.No.624 of 2017, in O.S.No.216 of 2017, by which, interim injunction has been granted restraining the respondents from telecasting the impugned advertisement in any Television Channel till 15.02.2017.

3. It is represented that the appellant herein has already filed a counter and the respondents 2 to 4 are yet to file their counter and that the first respondent herein who has filed the counter desires to file reply counter.

4. Learned counsel appearing on either side have expressed their willingness for the disposal of the injunction application on merits at the earliest.

5. The learned counsel appearing for the first respondent seeks atleast one week time to reply counter.

6. The learned counsel for the appellant would submit that the respondents 2 to 3 are proforma parties and they are not seriously contesting the issues and hence they need not file any counter. Inas much as they are added as parties the respondents 2 to 4 shall file the counter, within a period of one week from 27.02.2017. The reply counter shall be filed by the first respondent, within a period of one week from 27.02.2017.

7. The Trial Court, shall dispose of the injunction application on merits, within a period of two weeks thereafter, after giving an opportunity of hearing to both sides.

8. This Civil Miscellaneous Appeal is disposed of with the above directions. No costs. Consequently, connected Miscellaneous Petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The XVI Additional Judge
City civil Court,
Chennai

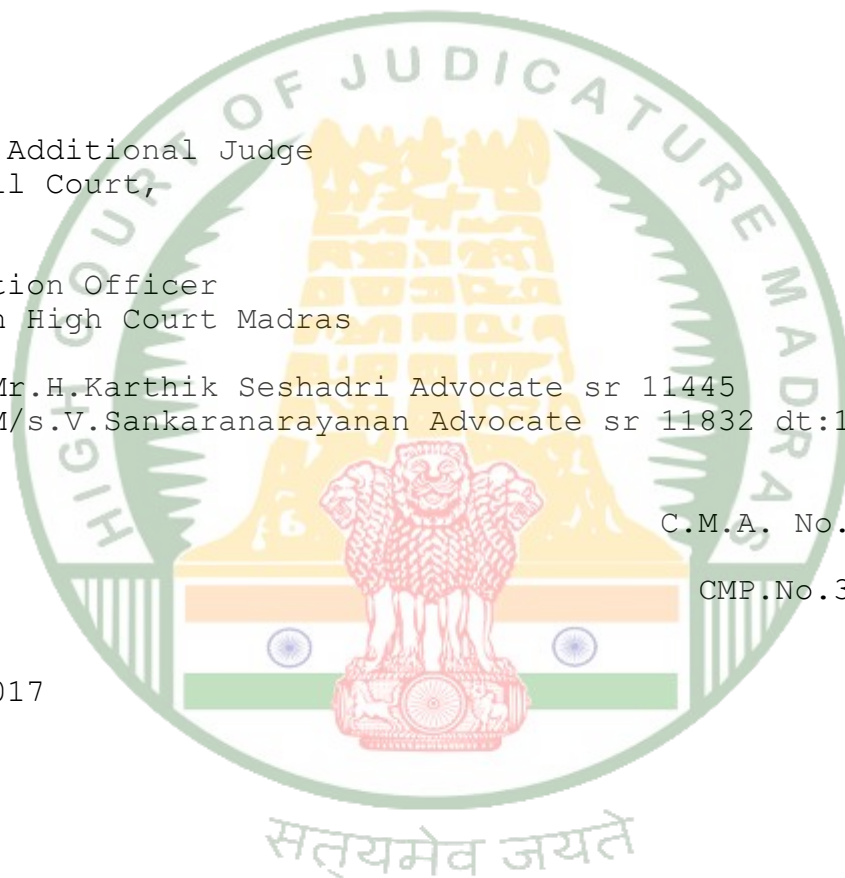
2.The Section Officer
VR Section High Court Madras

+1 cc to Mr.H.Karthik Seshadri Advocate sr 11445

+1 cc to M/s.V.Sankaranarayanan Advocate sr 11832 dt:13/03

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