

IN THE HIGH COURT OF JUDICATURE AT MADRAS
Dated : 03.05.2018
Coram
The Honourable Mr.Justice V. BHARATHIDASAN
and
The Honourable Mr.Justice S. SESHASAYEE

O.S.A.No.165 of 2018
and
C.M.P. No. 8814 of 2018

1. M/s. Gemini Film Circuit
rep. by its Managing Partner
Mr. A. Manohar Prasad
 2. A. Manohar Prasad
 3. A.Sai Siva Jyothi
 4. A. Lakshmi Anandhi
 5. A. Anand Prasad
 6. Kovelamudi Bapaiah
 7. A. Chandini
 8. Kiran Parvateneni
- ... Appellants

-vs-

1. M/s. Venkateshwara Financiers
Hyderabad Pvt. Ltd.,
Rep. by its Managing Director
A. Venkatesh Reddy
 2. M/s. Gemini Industries & Imaging Limited
No.28 New Bangaru Colony
West K.K. Nagar
Chennai - 18.
- ... Respondents

OSA filed under order XXXVI Rule 1 OS Rules R/2 clause 15 letters patent to set aside the order dated 27.04.2018 in O.A. No.124 of 2018 in C.S.NO.99 of 2018 and pass such further orders.

Prayer in O.A.No.124/2018:Original Application praying that this Hon'ble Court be pleased to appoint an appropriate Receiver to release or sell the said movie and recover the maximum possible returns and deposit the said amount to the credit of the present suit.

For appellants : Mr. P.S. Raman, Sr. Counsel
for M/s.Vineet Subramani

For 1st respondent : Mr.Krishna Ravichandran

J U D G M E N T

(The Order of the Court was made by V. BHARATHIDASAN, J.)

This Appeal has been filed against the order dated 27.04.2018 in O.A. No.124 of 2018 in C.S.NO.99 of 2018 passed by the learned Single Judge, directing the first respondent / appellant herein, to deposit a sum of Rs.14,14,71,917.81 to the credit of C.S. No.99/2018 on or before 13.05.2018.

2. Learned Senior Counsel appearing for the appellant submitted that earlier the appellant made an offer to deposit the aforesaid amount, on condition that the respondent shall accept the amount as full quit. Whereas, the respondent did not accept the same. In the above circumstances, learned Single Judge without assigning any reasons has passed the impugned order directing the appellant herein to deposit a sum of Rs.14,14,71,917.81 to the credit of C.S. No.99/2018 on or before 13.05.2018. Now apprehension of the learned Senior Counsel is that eventhough the matter is posted for further hearing on 04.06.2018, the respondent is likely to enforce the order, hence the present appeal has been filed.

3. Mr. Krishna Ravichandran, learned counsel appearing for the 1st respondent vehemently contented that though he has filed a Caveat Petition, there is no notice to him regarding listing of the case today. However, voluntarily he has present in the court and advanced his arguments. This Court also heard his arguments. The learned counsel for the 1st respondent submitted that the 1st respondent is not intending to enforce the order passed by the learned Single Judge.

4. In the aforesaid circumstances, since the 1st respondent is not going to enforce the order passed by the learned Single Judge, no further adjudication is required in the O.S.A. Hence, the O.S.A is closed. The parties are directed to approach the learned Single Judge on 04.06.2018 for further orders.

5. The O.S.A is closed, with the above observation. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar/Vacation Officer

//True Copy//

Sub Assistant Registrar

avr

To

The Sub Assistant Registrar
Original Side
High Court, Madras 104

+lcc to Mr.Vineet Subramani, Advocate Sr.No.32990
+lcc to Mr.M.Balaji, Advocate Sr.No.33035

GMR(CO)
sm:11.5.2018

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