

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.10.2019

CORAM

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

C.S.No.530 of 2016

Mr.S.Saravanan

.. Plaintiff

Vs.

1. M/s.Mannan Films,
Rep. by its Proprietor Mr.Mannan Thiyagarajan,
S/o.Thiyagarajan,
No.6, Kamarajar Street, Shanthi Colony, Saligramam,
Chennai – 60093
Now at : No.20/A6, Indira Devi Apartment,
Gopalakrishnan Street, T.Nagar, Chennai – 600 017.
2. M/s.Reliance Media Works Limited,
(ADLABS) rep. by its Manager,
No.9A, Kumaran Colony Main Road,
Vadapalani, Chennai – 600 026.
3. M/s.Vijayabhargavi Entertainment,
Rep. by its Proprietor, Mr.Balavishwanathan,
No.26/A6, Indira Devi Apartment,
Gopalakrishnan Street, T.Nagar, Chennai – 600 017.
4. M/s.Cinekorn Cinemas,
Rep. by its Proprietor Mr.Mannan Thiyagarajan,
No.20/A6, Indira Devi Apartment,
Gopalakrishnan Street, T.Nagar, Chennai – 600 017.
5. M/s.PRT Enterprises,
Rep. by its Proprietor Mr.Mannan Thiyagarajan,
No.20/A6, Indira Devi Apartment,

Gopalakrishnan Street, T.Nagar, Chennai – 600 017.

6. Gemini Colour Laboratory – DI Division,
28, New Bangaru Colony, West K.K.Nagar,
Chennai – 600 078.

.. Defendants

Civil Suit filed under Order IV Rule 1 of Original Side Rules read with
Order VII Rule 1 of Code of Civil Procedure for the following judgment and
decree :

a. For directing the first defendant to pay to the plaintiff a sum of
Rs.1,39,00,000/- [Rupees one crore thirty nine lakhs] together with interest at the
rate of 24% on Rs.1,39,00,000/- from the date of the plaint till the date of
realization;

b. For a permanent injunction restraining defendants 1, 3, 4, 5 and 6
herein, their agents, servants or anybody claiming through or under them from in
any manner releasing, distributing exhibiting or exploiting the picture title
'Wagah', Tamil Colour anywhere either by taking prints from the negatives kept
with the sixth defendant or through any digital modes such as Qube, UFO etc.;

c. For cost of the suit. सत्यमेव जयते

For Plaintiff : Mr.Prasanna Vineet Durai

For defendants : Mr.A.Ramkumar
for Ms.AL Ganthimathi

J U D G M E N T

This suit has been filed for recovery of a sum of Rs.1,39,00,000/- together with interest at the rate of 24% on Rs.1,39,00,000/- from the date of the plaint till the date of realization, for permanent injunction restraining defendants and their men from in any manner releasing, distributing exhibiting or exploiting the picture title 'Wagah', Tamil Colour anywhere either by taking prints from the negatives kept with the sixth defendant or through any digital modes such as Qube, UFO etc. and for costs.

2. During the pendency of this suit, the matter was referred to mediation. In the mediation, it is agreed between the parties that the first defendant shall pay a sum of Rs.one crore and in respect of which four cheques have been issued. However, only a sum of Rs.25 lakhs has been encashed and the remaining Rs.75 lakhs has not been paid as agreed before the mediation. Now the first defendant has filed an affidavit stating that he will pay a sum of Rs.37,50,000/- on or before 04.12.2019 and remaining sum of Rs.37,50,000/- shall be paid on or before 04.02.2020. The learned counsel for the plaintiff also agreed for the same, provided the amount is paid directly to the plaintiff.

3. Accordingly, the suit is decreed for a sum of Rs.1,00,00,000/- out of

which a sum of Rs.25,00,000/- has already paid by the first defendant to the plaintiff. The remaining Rs.75,00,000/- lakhs shall be payable by the first defendant to the plaintiff as agreed by the first defendant in the affidavit and the first instalment namely a sum of Rs.37,50,000/- shall be paid by the first defendant on or before 04.12.2019 and the remaining Rs.37,50,000/- shall be paid by the first defendant on or before 04.02.2020. Failure to pay the amount, the amount will invite interest at the rate of 7.5% from the date of suit till the date of realization.

4. With the above terms, the suit is disposed of.

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Index : Yes/No

Internet : Yes/No

Speaking/Non-Speaking Order

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