

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

Cont P.No.2255 of 2018

M/s.Saregama India Ltd.,
Represented by its Legal Manager
Kasi Arcade, 3rd Floor, 2, 3, 4 & 5
No.116, Thiyagarayar Road
T.Nagar, Chennai-600 017.

... Petitioner

.Vs.

1. C.J.Jayakumar,
59, Vijayaraghava Road,
T.Nagar,
Chennai 17.

2. S.J.Kannan,
Plot No.118, Old Door No.5/1,
New Door No.21,
Annamalai Chetty Nagar 3rd Street,
West Mambalam, Chennai 600 033.

... Respondents

Contempt Petition filed under Section 11 of the
Contempt of Courts Act 1971, praying to punish the
respondents for their willful and wanton disobedience of
the order dated 16.09.2015, passed in O.A.No.956 of 2015 in
C.S.No.723 of 2015.

For Petitioner : Mr.Akshay Bathia
for M/s.Abishek Jenasen

For Respondents : Mr.G.Veerapathiran

O R D E R

This Contempt Petition is filed by complaining that the interim order dated 16.09.2015 passed by this Court in O.A.No.956 of 2015 in C.S.No.723 of 2015, recording the undertaking given by the defendants has been violated.

2. It is seen that this Court recorded the undertaking given by the defendants through their counsel, that they will furnish either an unencumbered security to the plaintiff or the payment itself within 7 days from the date of release of the film.

3. According to the learned counsel for the respondents in this contempt proceedings, they have already paid a sum of Rs.52,60,474/- and therefore, nothing to be decided in this contempt petition.

4. The learned counsel for the petitioner is not disputing the above said fact and on the other hand, it is his contention that the total amount payable by the defendants is Rs.61,82,930.54.

5. It is not in dispute that the subject matter of contempt petition viz., the order passed by this Court recording the undertaking is only an interim order. It is also not in dispute that the very suit itself was subsequently decreed on 22.08.2016. Therefore, it is for the plaintiff to work out the decree in a manner known to law.

6. Thus, the present contempt petition is closed by permitting the petitioner/plaintiff to work out their remedy before appropriate forum for execution of the decree.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

mk

//Certified to be true copy//

Dated at Madras this the day of 2020.

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COURT OFFICER (O.S.)

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SMI/20/01/2020