



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 17th DAY OF AUGUST 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

O.A. Nos.437 to 439 of 2021
and
Arb.Appln.Nos.150 to 152 of 2021

In the matter application under
Section 9 of The Arbitration &
Conciliation Act, 1996 as amended
by the Arbitration & Conciliation
(Amendment) Act, 2015 (3 of
2016);

And

In the matter of disputes arising out
of the Assignment & Transfer of
Rights Agreement dated
19.07.2018.

Sikhya Entertainment Private Limited,
Represented by its Director & Authorised Signatory,
Mr.Achin Jain,
Having its office at
64, Aram Nagar Part 1,
Versova JP Road,
Andheri West,
Mumbai – 400 061.

... Applicant
(in O.A. Nos.437 to 439 of 2021)

-Versus-

1.2D Entertainment Private Limited,
Represented by its Director & CEO,
Mr.Rajasekar Karpoorasundarapandian,
Having its office at
No.15/7, Krishna Street,
T.Nagar, Chennai – 600 017.



Also at:

Akshaya Surya Apartment,
No.4/20, 3rd Floor,
Besant Avenue Road, Adyar,
Chennai – 600 020.

2. Abundantia Entertainment Private Limited,
Represented by its Chief Executive Officer,
Mr. Vikram Malhotra,
Having its registered office at
Premises No.1 & 3, 5th Floor,
Graneur Off. Veera Desai Road,
Oshiwara, Andheri West,
Mumbai – 400 053.

... Respondents/Defendants
(in O.A. Nos.437 to 439 of 2021)

O.A. No.437 of 2021:-

Original Application praying that this Hon'ble Court be pleased to pass an Interim order of Injunction restraining the respondents from exploiting the Hindi rights in the film based on the book titled “Simply Fly- A Deccan Odyssey” authored by Captain Gorur Ramasamy Iyengar Gopinath.

O.A. No.438 of 2021:-

Original Application praying that this Hon'ble Court be pleased to pass an order for an interim measure to restrain the respondents from creating any third party rights in respect to the Hindi rights in the film based on the book titled “Simply Fly A Deccan Odyssey” authored by Captain Gorur Ramasamy Iyengar Gopinath.

**O.A. No.439 of 2021:-**

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Original Application praying that this Hon'ble Court be pleased to pass an order for an interim measure to restrain the respondents from remaking the Tamil Movie 'Sooraraipottru' in Hindi or in any other Indian Languages.

Arb.Appln.Nos.150 to 152 of 2021:-

1.2D Entertainment Private Limited,
Represented by its Director & CEO,
Mr.Rajasekar Karpoorasundarapandian,
Having its office at
No.15/7, Krishna Street,
T.Nagar, Chennai – 600 017.

Also at:

Akshaya Surya Apartment,
No.4/20, 3rd Floor,
Besant Avenue Road, Adyar,
Chennai – 600 020.

... Applicant/1st Respondent

-Versus-

1.Sikhya Entertainment Private Limited,
Represented by its Director & Authorised Signatory,
Mr.Achin Jain,
Having its office at
64, Aram Nagar Part 1,
Versova JP Road,
Andheri West,
Mumbai – 400 061.

... 1st Respondent /Applicant

2.Abundantia Entertainment Private Limited,
Represented by its Chief Executive Officer,
Mr.Vikram Malhotra,
Having its registered office at
Premises No.1 & 3, 5th Floor,



Graneur Off. Veera Desai Road,
Oshiwara, Andheri West,
Mumbai – 400 053.

...2nd Respondent/
2nd Respondent

Arb.Appln.No.150 of 2021:-

Application praying that this Hon'ble Court be pleased to Vacate the order of Interim Injunction granted on 26th July 2021 in O.A.No.437 of 2021.

Arb.Appln.No.151 of 2021:-

Application praying that this Hon'ble Court be pleased to Vacate the order of Interim Injunction granted on 26th July 2021 in O.A.No.438 of 2021.

Arb.Appln.No.152 of 2021:-

Application praying that this Hon'ble Court be pleased to Vacate the order of Interim Injunction granted on 26th July 2021 in O.A.No.439 of 2021.

These applications coming on this day before this court for hearing in the presence of Mr.P.S.Raman, Senior Counsel for M/s S.Sashidhar, Advocates for the applicant in O.A.Nos.437 to 439 of 2021, and for the 1st respondent in Arb.Appln.Nos.150 to 152 of 2021 and, Mr.AR.L.Sunderasan, Senior Counsel for M/s R and P Partners, Advocates for the Applicant in Arb.Appln.Nos.150 to 152 of 2021, and for the



Advocate for the 2nd respondent in O.A.Nos.437 to 439 of 2021 and Arb.Appln.Nos.150 to 152 of 2021 and upon reading the Judge's Summons and the affidavit of Rajsekar Karpoorasundarapandian filed in Arb.Appln. Nos.150 to 152 of 2021, and upon reading the order dated 26.07.2021 made in O.A.Nos.437 to 439 of 2021, **it is ordered as follows:-**

That the order of interim injunction granted in pursuance of the order dated 26.07.2021 made in O.A. Nos.437 to 439 of 2021 restraining the respondents therein not to remake and exploitation of the film “Soorarai Pottru” in Hindi version be and are hereby extended till 24.08.2021.

2. That the O.A. Nos.437 to 439 of 2021 and Arb.Appln.Nos.150 to 152 of 2021 be posted on 24.08.2021.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID,
THIS THE 17th DAY OF AUGUST 2021.

Sd/-

ASSISTANT REGISTRAR (COMM.CASES)i/c
//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.



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O.A. Nos.437 to 439 of 2021
and
Arb.Appln.Nos.150 to 152 of 2021

ORDER

DATED : 17.08.2021

THE HON'BLE MR.JUSTICE
N.SATHISH KUMAR

FOR APPROVAL: 23.08.2021

APPROVED ON: 23.08.2021