



C.R.P.(PD).No.2799 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

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and

C.M.P.No.20318 of 2021

M/s. Dream Warrior Pictures
Rep. by its Partner Mr.S.R.Prabhu
No.17/8, Flat No.1, Ganpath Apartments,
Krishna Street,
T.Nagar,
Chennai – 600 017. .. Petitioner/Petitioner/Plaintiff

Vs.

M/s. Straight Line Cinemas
Rep. by its Proprietor Mr.Sudhir V.K
Krishna Bhat Tower
Pullepady Road
Ernakulam 682 035. .. Respondent/Respondent/Defendant

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, praying to revise and set aside the petition order dated 02.12.2021 passed in I.A.Sr.No. 55263 of 2021 in O.S.No. 7743 of 2021 by the learned V Assistant Judge, City Civil Court, Chennai and allow the Injunction petition by allowing the CRP.



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For Petitioner : Mr. S.S.Swaminathan

ORDER

Challenge in this Revision is to the return of the injunction application made by the V Assistant Judge, City Civil Court, Chennai.

2. The plaintiff who obtained a decree against the defendant before the Commercial Division of this Court for payment of money on 01.10.2021, filed a suit for permanent injunction restraining the defendant from releasing a movie named 'DIJINN'. An application for injunction was filed in the said suit seeking an order of interim injunction restraining the defendant from releasing the movie 'KSHANAM' which is also produced by the defendant.

3. The learned V Assistant Judge, City Civil Court, Chennai, had returned the injunction application querying its maintainability on the ground that while the prayer in the suit is for injunction in respect of different movie, the plaintiff cannot seek interim injunction in respect of



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another movie. In doing so, the learned V Assistant Judge, City Civil Court, Chennai, also felt that the interim relief is larger than the main relief. Eventhough the said conclusion of the learned learned V Assistant Judge, City Civil Court, Chennai, may not be strictly correct, I am of the opinion that the return made by the learned V Assistant Judge, City Civil Court, Chennai, should be sustained on the ground that the prayer in the Interlocutory Application cannot be for a total by different property which is not the subject matter of the suit.

4. Hence, I do not find any merit to interfere with the return made by the learned V Assistant Judge, City Civil Court, Chennai. This Civil Revision Petition is therefore dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

08.12.2021

vsg

Index : No
Internet : Yes/No
Speaking order / Non-Speaking order

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R.SUBRAMANIAN, J.

vsg

To

The V Assistant Judge,
City Civil Court, Chennai.

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and
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