



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Tuesday, the Twenty Sixth day of April Two Thousand Twenty Two

PRESENT

THE HON`BLE MR.JUSTICE M.DURAI SWAMY

and

THE HON`BLE MRS.JUSTICE T.V.THAMILSELVI

CMP.No.7583 of 2022

in OSA(SR).No.40711 of 2022

1 RAVIKOTTARAKARA

[PETITIONERS]

2 T.A.ARULPATHY

3 G.V.G.RAJU

4 N.M.SURESH

5 K.V.VENKATESH

6 B.RAKESH

7 T.PRASANNAKUMAR

8 K.NANDAKUMAR

Vs

1 R.KISHORE KUMAR @ GUINNESS KISHORE,

[RESPONDENTS]

S/O.MR.RAVAKANNAN,

PROPRIETOR, ANNAITHERASA INTERNATIONAL FILMS,

NO.6/36, ARUNACHALAM ROAD,

SALIGRAMAM, CHENNAI 600 093.

2 THE SOUTH INDIA FILM CHAMBER

OF COMMERCE,

REPRESENTED BY ITS HON. SECRETARY,

T.R.SUNDARAM AVENUE,

NO.605, ANNA SALAI,

CHENNAI 600 006.

3 THE ELECTION OFFICER,

THE SOUTH INDIA FILM CHAMBER OF COMMERCE,

T.R.SUNDARAM AVENUE, NO.605,

ANNA SALAI, CHENNAI 600 006.



Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to GRANT LEAVE to the petitioners/Appellants to file the OSA against the Judgment and Decree dated 02-03-2022 in O.A.No.23 of 2022 in C.S.No.12 of 2022 and allow the OSA(SR).No.40711 of 2022.

Order : This petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.AR.L.SUNDARESAN, Senior Counsel for M/S.AL.GANTHIMATHI, Advocate for the petitioners and of M/S.B.ARAVIND SREVATSA, Advocate(CAVEATOR) for 1st Respondent, the court made the following order:-

Challenging the order of injunction granted by the learned Single Judge in O.A.No.23 of 2022 in C.S.No.12 of 2022, the petitioners, who are third parties, have filed the above appeal. In the said appeal, the petitioners have filed the above Miscellaneous Petition seeking for leave to file the Original Side Appeal against the judgment and decree dated 02.03.2022 in O.A.No.23 of 2022.

2.Mr.AR.L.Sundaresan, learned senior counsel appearing for the petitioners/appellants submitted that the order of injunction granted by the learned Single Judge is against the interest of the petitioners, hence, they are proper and necessary parties. The learned senior counsel further submitted that the petitioners are taking steps to file an impleading petition before the learned Single Judge in C.S.No.12 of 2022 to get themselves impleaded as the defendants in the suit.

3.Mr.B.Aravind Srevatsa, learned counsel, who entered caveat for the 1st respondent/plaintiff, submitted that liberty may be given to the 1st respondent to make their submission with regard to the locus of the petitioners at the time of hearing the Original Side Appeal.

4.Having regard to the submissions made by the learned counsel on either side, we grant leave to the petitioners to file the Original Side Appeal as against the order passed by the learned Single Judge in O.A.No.23 of 2022 in C.S.No.12 of 2022. We also make it clear that the respondents are at liberty to make their submissions with regard to the locus of the petitioners at the time of hearing the Original Side Appeal.

-sd/-

26/04/2022

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.



TO

THE SUB ASSISTANT REGISTRAR,
ORIGINAL SIDE, HIGH COURT,
MADRAS-104.

WEB C

Order
in
CMP.No.7583 of 2022

in OSA(SR).No.40711 of 2022

Date :26/04/2022

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