



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Wednesday, the Twenty Ninth day of June Two Thousand Twenty Two

PRESENT

THE HON`BLE MR.JUSTICE M.DURAI SWAMY

and

THE HON`BLE MR.JUSTICE SUNDER MOHAN

CMP.No.16183 of 2021

in AS.No.218 of 2021

SUN TV NETWORK LIMITED,
REPRESENTED BY ITS AUTHORISED SIGNATORY,
HAVING OFFICE AT MURASOLI MARAN TOWERS,
73, MRC NAGAR MAIN ROAD,
MRC NAGAR, CHENNAI-600 028.

[PETITIONER]

Vs

1 M/S.BHAVANI AMMA COMBINES
REP.BY ITS PROPRIETOR MR.R.VIJAYAKUMAR,
NO.4 CHARI STREET, T.NAGAR,
CHENNAI-600 017

[RESPONDENTS]

2 M/S.SATHYA JYOTHI FILMS
NO.2 SHANMUGAM STREET, ROYAPETTAH,
CHENNAI 600 014

AND AT M/S.SATHYA JYOTHI FILMS AND
AGENCIES (P) LTD.,
REP.BY ITS MANAGING DIRECTOR,
MR.T.G.THYAGARAJAN
No.10, THANDAVARAYAN STREET, ROYAPETTAH,
CHENNAI 600 014.

3 K.LOKESH

4 M/S.GEMINI COLOR LABORATORY
NO.2, VEMBULIAMMANKOIL STREET,
VIRUGAMBAKKAM,
CHENNAI-600 092



Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to modify the order dated 23/08/2021 passed in CMP.No.10285/2021 in AS.No.218/2021 to the extent that the petitioner may be permitted to deposit to the credit of the above Appeal, the amount representing 50 per cent of the damages awarded by the Trial court along with interest as awarded by the Trial Court, within a period fixed by this Hon'ble Court, instead of paying it to the 1st Respondent(CMP.No.16183 of 2021)

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.R.MUKUNDAN, Advocate for the petitioner and of MR.R.THAGARAJAN, Advocate for the 1st Respondent, the court made the following order:-

(Order of the Court was made by M.Duraiswamy, J.)

By order dated 23.08.2021, this Court passed a conditional order of stay directing the petitioner to pay 50% of the damages awarded by the trial Court along with interest within a period of six weeks.

2.The petitioner has filed the above Civil Miscellaneous Petition seeking to modify the order dated 23.08.2021 by permitting them to deposit the amount to the credit of the appeal instead of paying the amount to 1st respondent/plaintiff.

3.Mr.R.Thiagarajan, learned counsel for the 1st respondent/plaintiff has no serious objection for giving permission to the petitioner/appellant to deposit the amount to the credit of O.S.(Commercial) No.5 of 2020 on the file of the Principal Judge, City Civil Court, Chennai.

4.Having regard to the submissions made by the learned counsel on either side, taking into consideration the averments stated in the affidavit filed in support of the petition, we modify the order dated 23.08.2021 by permitting the petitioner/appellant to deposit 50% of the damages awarded by the trial Court along with interest and the entire costs as ordered by the trial Court to the credit of O.S.(Commercial) No.5 of 2020 on the file of the Principal Judge, City Civil Court, Chennai, within a period of two weeks from the date of receipt of a copy of this order, failing which, it is made clear that the petition shall stand dismissed automatically without any further reference to this Court. On such deposit being made by the petitioner/appellant, the Principal Judge, City Civil Court, Chennai, is directed to deposit the said amount in Indian Bank, Madras High Court Branch in Fixed Deposit in a re-investment scheme initially for a period of two years.



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5. With these observations, the Civil Miscellaneous Petition is disposed of.

-sd/-
29/06/2022
/ TRUE COPY /

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

TO

THE PRINCIPAL JUDGE,
CITY CIVIL COURT, CHENNAI.

COPY TO

THE MANAGER, INDIAN BANK,
MADRAS HIGH COURT BRANCH,
CHENNAI-104.

Order
in
CMP.No.16183 of 2021
in AS.No.218 of 2021
Date :29/06/2022

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GS(29/06/2022) (IT)