



OSA.No.10 of 2

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

O.S.A.No.10 of 2024
and
C.M.P.No.1918 of 2024

Mansoor Ali Khan

...Appellant

Vs.

1.Trisha Krishnan

2.Kushboo Sundar

3.Chiranjeevi Konidela

...Respondents

Prayer: Original Side Appeal filed under XXXVI Rule 9 of the Original Side Rules, against the order passed on 22.12.2023 in A.No.6482 of 2023 in C.S.D.No.38413 of 2023.

For Appellant : Mr.S.Kingston Jerold



J U D G M E N T

(Judgment of the Court was made by R.SUBRAMANIAN, J.)
Challenge in this appeal is to the order of the learned Single Judge,

dismissing the application filed by the appellant seeking leave to sue the third defendant in the suit, since the third defendant resides outside the jurisdiction of this Court. On the conclusion that the suit itself is meritless, the learned single Judge dismissed the application with cost of Rs.1,00,000/-

2.Mr.S.Kingston Jerold, learned counsel appearing for the appellant would submit that imposition of costs has put the appellant in very bad light and he has been ostracized by the entire film industry. The learned counsel would submit that he would seek only the limited relief of modification of the order by deleting the imposition of costs alone. The learned counsel for the appellant has also filed an affidavit undertaking that he will not proceed with the suit against the other two defendants also.

3. The said undertaking is recorded and the suit in C.S.Diary No.38413 of 2023 will stand rejected. We do not think that the appellant should be further penalised by imposition of costs. The Appeal is **partly**



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allowed, the portion of the order imposing costs alone is set aside. The order of the single Judge, dismissing the application for grant of leave is confirmed. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.M., J.) (R.S.V., J.)
29.02.2024

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Internet:Yes

Index:No

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Nuetral Citation :No



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R.SUBRAMANIAN, J.
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R.SAKTHIVEL, J.

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