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OA. No.45 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2025

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THE HONOURABLE MR JUSTICE P.B. BALAJI

OA NO. 45 of 2025

in

OA NO. 993 OF 2023

All In Pictures

35b First Street, Loganathan Nagar,
Choolaimedu, Chennai

Applicant(s)

Vs

Gautham Vasudev Menon

35b First Street, Loganathan Nagar,
Choolaimedu, Chennai,
S/o.Mr.Prabhakrishnan, 63, Gandhi Street,
Kanagam, Taramani, Chennai 600 113 and 4
Others

Respondent(s)

OA NO. 993 of 2023

M/s.All In Pictures

35B, 1st street, loganathan nagar, choolaimedu

Applicant(s)

Vs

Gautham Vasudev Menon

35B, 1st street, loganathan nagar, choolaimedu

Respondent(s)

OA NO. 45 of 2025

For Applicant(s) : Mr. Avinash Wadhwani

For Respondent(s): Mr.Abdul Hameed, Senior Counsel
Mrs.Revathi Manivannan for R1
Mr.R.Sankara Narayanan,
Senior Counsel for
Mr.Dinu Prashanth for R2 to R5.

**ORDER**

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The Applicant has filed an Application in A.No.45 of 2025 seeking an injunction restraining the respondents 1 to 5, their men, agent, servant or any persons claiming through them from releasing the movie titled '*Dominic and the Ladies Purse*'.

2. I have heard Mr. Avinash Wadhwani, learned counsel for the Applicant and Mr.Abdul Hameed, learned Senior Counsel for Mrs.Revathi Manivannan, learned counsel for R1 and Mr.R.Sankara Narayanan, learned Senior Counsel for Mr.Dinu Prashanth, learned counsel for R2 to R5.

3. The learned counsel for the Applicant would invite my attention to the undertaking given by the first respondent in and by letter dated 14.09.2022, wherein he had undertaken to pay a sum of Rs.2,40,00,000/- before the release of the next film 'Dhruva Natchatiram' or before the release of any other movie directed or produced by him, whichever is earlier. According to the learned counsel for the Applicant, now the movie which is proposed to be released is admittedly directed by the first



respondent and in the light of the undertaking which was given and which formed the basis of an order of this Court dated 24.11.2022 is therefore, sought to be violated blatantly.

4. He would further submit that despite this undertaking having been given in the year 2022 and several hearings having taken place in the interregnum period from then till today, the movie which is directed by him is proposed to be released tomorrow i.e., on 23.01.2024. He would therefore seek for an interim injunction to release the movie '*Dominic and the Ladies Purse*'.

5. Per contra, Mr.Abdul Hameed, learned Senior Counsel for Mrs.Revathi Manivannan, appearing for the first respondent would submit that the undertaking was meant only for the release of 'Dhruva Natchatiram' and for any other movie directed and produced by the first respondent and by inadvertence and owing to the pressure situation at that relevant point of time, a mistake had crept in. He would further submit that he has no role to play in the production of the movie excepting being the Director and therefore, the injunction cannot be granted as prayed for.



6. Mr.R.Sankara Narayanan, learned Senior Counsel for Mr.Dinuprashanth, learned counsel for R2 to R5, would contend that the present film which is sought to be injunction is an asset, Copy Right of which is belonging to the respondents 2 to 5, being the Producers and the Director has no role in the production and release of the movie and under Section 27 of the Indian Contract Act, 1872 no injunction can be granted as prayed for. He would further submit that all arrangement has been made for release of the movie tomorrow i.e., 23.01.2025 and at this 11th hour, an injunction cannot be granted.

7. I have carefully considered the arguments advanced by the learned counsel for the applicant and learned Senior Counsel appearing for the respondents.

8. There is no dispute with regard to the fact that an undertaking was given by the first respondent by a letter dated 14.09.2022, which was taken on record and an order came to be passed by this Court on 24.11.2022, recording the said undertaking that the aggregate sum of Rs.2,40,00,000/- would be paid before the release of the movie 'Dhruva



Natchatiram' or before the release of any other movie directed or produced by him. This undertaking remains in force. Though the first respondent is now attempting to clarify the undertaking giving a different interpretation, be that as it may, the present movie which is sought to be restrained is admittedly produced by the respondents 2 to 5 and not by the first respondent. The rights of the respondents 2 to 5 cannot be prejudiced because of an undertaking given by the first respondent before this Court. Further the Application is being filed at the very last 11th hour when all arrangements have been made for the release of the movie tomorrow i.e., on 23.01.2025 involving several stake holders and their valuable and respective interests in different forms. Therefore, I do not find a prima facie case being made out for grant of an interim injunction for restraining the release of the movie.

9. Ofcourse, the conduct of the first respondent is not appreciated. Having given an undertaking that he will not release any movie which is directed or produced by him, if at all the movie is being released tomorrow i.e., 23.01.2024 as proposed, then at the end of the first respondent, it may certainly amount to violation of the order dated 24.11.2022. Though the learned counsel for the Applicant Mr.Avinash



Wadhvani, would persuade me to initiate suo moto contempt proceedings against the first respondent for violation of the order dated

24.11.2022, I do not deem it fit to initiate any suo moto contempt proceedings for more than one reason. Firstly, the undertaking letter dated 14.09.2022 which form part of the order dated 24.11.2022 would stand violated only in the event of the Applicant showing the release of the movie which is yet to happen as on date. Secondly, the present Application is filed as a Sub Application in O.A. No.993 of 2023. I have my own serious doubts as to how such a Sub Application can be maintained in respect of a different picture altogether when O.A. No. 993 of 2023 was pertaining to the movie Duruva Natchatiram alone. Therefore, for the above reasons, I am not inclined to initiate any contempt proceedings as requested and proceeded by the learned counsel for the Applicant. It is needless to state that it is always open to the Applicant to initiate contempt proceeding in a manner known to law.

10. Accordingly, A. No.45 of 2025 is hereby dismissed.

22-01-2025

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P.B.BALAJI, J.,

rkp

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in

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22.01.2025