



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 19.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

A.No.831 of 2025
in C.S.No.347 of 2017

M/s.Prasad Productions Private Limited,
Represented by its Authorised Signatory,
No. 28, Arunachalam Road, Saligramam, Chennai 600 093.
...Applicant/Plaintiff

vs.

Mr. Prakash Raj, Proprietor carrying on business under the name and style of M/s.Prakash Raj Productions, at No.21/9, Balaraman Road, Adyar, Chennai 600 020 and also at Tulive Apartments, Door No.610, 16/1, Arunachalam Road, Saligramam, Chennai 600 093.
... Respondent/Defendant

Prayer: Application filed under Order XIV Rule 8 of O.S.Rules Read With Section 151 of the C.P.C., to pay to the applicant a sum of Rs.1,50,00,000/- (Rupees one crore fifty lakhs only) (Rs.50,00,000/- (Rupees fifty lakhs only) in Court deposit; Rs.1,00,00,000/- (Rupees one crore only) in fixed deposit) that is, to M/s.Prasad Productions Private Limited by way of a Cheque drawn in the name of the applicant and which cheque is to be handed over to the Counsel for the



applicant/plaintiff upon acceptance of the Bank Guarantee that is being furnished on behalf of the applicant.

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For Applicant/Plaintiff : Mr. S.Raghunathan

For Respondent/Defendant : Mr.A.Chidambaram

ORDER

By order dated 25.09.2024, A.Nos.1195 & 1196 of 2024 were disposed of by *inter alia* directing the defendant to create an interest bearing fixed deposit in the name of the Registrar General of this Court to the credit of the suit for a sum of Rs.1 crore. It was also provided in such order that the plaintiff would be entitled to apply for the withdrawal of the aggregate amount deposited, being Rs.1,50,00,000/-, by providing security by way of a bank guarantee to the satisfaction of the Registrar General.

2. The present application is pursuant thereto. The plaintiff seeks permission for payment out of a sum of Rs.1,50,00,000/- subject to acceptance of the bank guarantee being provided.



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3. Learned counsel for the plaintiff submits that a draft bank guarantee in the prescribed format has been submitted to the Registry. He makes a request that the Registry be directed to make payment of the sum of Rs.1,50,00,000/- to the plaintiff expeditiously.

4. Since the present application is filed in accordance with the leave granted to the plaintiff in the earlier order, this application is liable to be allowed subject to the provision of an appropriate bank guarantee.

5. Therefore, A.No.831 of 2025 is allowed on the following terms:

(i) The plaintiff shall provide an unconditional bank guarantee for a sum of Rs.1,50,00,000/- from a public sector bank in the name of the Registrar General to the credit of the suit.

(ii) Such bank guarantee shall be for an initial term of one year on condition that the same would be renewed not less than two months prior to the date of expiry for further periods until the expiry of 30 days from the date of disposal of the suit.

(iii) The bank guarantee shall contain a provision that it can be invoked without demur or protest if the plaintiff fails to renew the same within the time limit specified above.



SENTHILKUMAR RAMAMOORTHY,J.

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(iv) Subject to the plaintiff providing a bank guarantee in the terms indicated above to the satisfaction of the Registrar, the sum of Rs.1,50,00,000/- shall be paid by way of an instrument in the name of the plaintiff, which instrument shall be handed over to learned counsel for the plaintiff within two weeks from the date on which the bank guarantee is provided.

(v) The Registrar General, High Court, Chennai, is directed to take all necessary steps to facilitate the above, including by making the necessary endorsement on the fixed deposit receipt.

19.03.2025

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To

The Registrar General,
High Court,
Chennai.

A.No.831 of 2025
in C.S.No.347 of 2017
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