



A. No.1167 of 2025 in C.S. (Comm. Div.) No.10 of 2025

WEB COPY **ABDUL QUDDHOSE.J.,**

This application has been filed by the defendant Nos.1, 4 and 5, seeking to modify the order dated 08.01.2025 passed by this Court in O.A.No.18 of 2025 in C.S. (Comm. Div.) No.10 of 2025. The consent order dated 08.01.2025 was passed by this Court which reads as follows:

" A joint endorsement has been made by the respective counsels on instructions stating that O.A.No.18 of 2025 can be disposed of, permitting the first defendant to theatrically release the film "Madha Gaja Raja". However, insofar as other rights are concerned, the same shall be subject to the outcome of the suit. The said endorsement is recorded.

In terms of the joint endorsement made by the respective counsels referred to supra, this application is disposed of."



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2. The applicants / defendant Nos.1, 4 and 5 now seek to permit the applicants / defendant Nos.1, 4 and 5 to deal with digital and satellite rights and OTT rights pertaining to the film “Madha Gaja Raja”. Learned counsel for the plaintiff would submit that before permitting the applicants / defendant Nos.1, 4 and 5, the plaintiff's right has to be protected till the disposal of the suit.

3. Learned senior counsel appearing for the applicants / defendant Nos.1, 4 and 5 would submit on instructions that once this Court grants permission for the applicants / defendant Nos.1, 4 and 5 to enter into an agreement for assignment of digital and satellite rights and OTT rights pertaining to the film “Madha Gaja Raja” from and out of the money to be received from the assignment, the applicants / defendant Nos.1, 4 and 5 shall deposit to the credit of the suit a sum of Rs.3 Crores to secure the interest of the plaintiff. Learned counsel for the plaintiff has not raised any serious objection for the said submission made by the learned senior counsel appearing for the applicants / defendant Nos.1, 4 and 5. However, he would submit that the sum of Rs.3 Crores cannot be sufficient to secure the interest of the plaintiff in case the plaintiff succeeds in the main suit.



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4. The order passed in this application is only an interim arrangement and if the plaintiff is able to succeed in the suit, he can seek for further direction from this Court. Admittedly, even according to the plaintiff, when he was assigned with the copyright for the film “Madha Gaja Raja”, he had paid only a sum of Rs.2.5 Crores to the defendants. Therefore, the deposit of Rs.3 Crores to be made by the applicants / defendant Nos.1, 4 and 5 is adequate to protect the interest of the plaintiff pending disposal of the suit. The applicants / defendant Nos.1, 4 and 5 is, therefore, permitted to enter into an agreement for assignment of digital and satellite rights and OTT rights pertaining to the film “Madha Gaja Raja” with third party and on receipt of the consideration for the said assignment, the applicants / defendant Nos.1, 4 and 5 shall deposit a sum of Rs.3 Crores to the credit of the suit immediately on receipt of the same from the third party. This exercise shall be completed within a period of two months from the date of receipt of a copy of this order and it is made clear that no further extension shall be granted to the applicants / defendant Nos.1, 4 and 5 for depositing the sum of Rs.3 Crores to the credit of the suit. This arrangement is without prejudice to the rights and contentions of both the plaintiff as well as the



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defendants in the main suit. In the event of failure to complete the said exercise within a period of two months, it is made clear that the order dated 08.01.2025 shall stand restored.

5. In terms of the directions issued by this Court today, the order dated 08.01.2025 passed in O.A.No.18 of 2025 in C.S. (Comm. Div.) No.10 of 2025 stands modified. The remaining applications viz., A.Nos.141, 557 and 677 of 2025 are directed to be posted before the regular Court.

14.03.2025

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Note: Issue Order Copy on 17.03.2025.



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