



C.M.A.No.1427 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.05.2025

CORAM :

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

C.M.A.No.1427 of 2025

and

C.M.P.Nos.12181 and 12183 of 2025

Aaranya Cine Combines
Represented by its Proprietor
Mrs.R.Madhumathi
carrying on business at
Plot No.A12, Srinivasa Arcade
No.1/2, Arunachalam Road
Saligramam, Chennai 600 093

... Petitioner

Vs.

1.Cosmos Entertainment
Represented by its Proprietor Mr.J.Phanindra Kumar
Having office at
New No.5, Plot No.3
Easwari Chinni Dale
Vidyodhaya Main Road
T.Nagar, Chennai 600 017

2.Tamil Film Producers Council
Represented by its Secretary
Film Chamber Compound, 4th Floor
No.606, Anna Salai
Chennai 600 006



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3.Qube Cinema
No.42, Dr.Ranga Road
Mylapore, Chennai 600 004

4.Gemini Industries and Imaging Pvt. Ltd
Represented by its Authorised Signatory
Laboratory Department
No.28, New Bangaru Colony
West, K.K.Nagar, Chennai 600 078

5.UFO Digital Cinema
No.178, 3 & 4 Kumaran Colony Main Road
Kumaran Colony
Vadapalani
Chennai 600 026

6.PXD
Prasad Extreme Digital Cinema Network Pvt. Ltd.
No.28, Arunachalam Road
Saligramam
Chennai 600 093

... Respondents

Prayer: Petition filed under Order 43 Rule 1 of the Civil Procedure Code, to set aside the order dated 28.04.2025 passed in C.O.S.SR.No.396 of 2025 by the Principal Commercial Court at Egmore, Chennai.

For Petitioner : Mr.S.John Josh

For Respondents : Mr.Sharath Chandran – R1

ORDER

Heard both sides. The petitioner filed a suit before the



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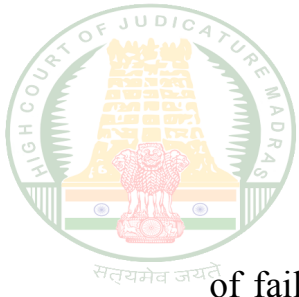
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Commercial Court for recovery of a sum of Rs.36,70,032/- with interest.

The plaint was returned by the Court below on the ground that the statutory mandate set out in Section 12 A of the Commercial Courts Act, was not fulfilled. Challenging the said order dated 28.04.2025, this Civil Miscellaneous Appeal came to be filed.

2.The respondents herein were put on notice. Mr.Sharath Chandran, learned counsel appearing for the contesting respondent submits that the movie is proposed to be released only on 20.06.2025. I am therefore of the view that there is no urgency as of now.

3.In view of the submission made by the learned counsel for the contesting respondent, I am of the view that the view of the Court below that the plaintiff is not entitled to seek exemption from Section 12 A of the Act is sustainable. The order impugned in this appeal is sustained. The parties are referred to Mediation. The appellant as well as the contesting respondent shall appear before the Mediation Centre annexed to this Court on 30.05.2025 at 10.30 a.m. The process of Mediation shall be undergone. I hope that the mediation efforts are fruitful. In the event



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of failure, the appellant / plaintiff is at liberty to re-present the plaint on 10.06.2025. If the papers are otherwise in order the same shall be immediately numbered and taken on file by the Court below.

4. With the aforesaid direction to the parties as well as the Court below, the Civil Miscellaneous Appeal is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

23.05.2025

kas

Index: Yes / No
Neutral Citation

To.

1. The Principal Commercial Court
Egmore, Chennai.
+
2. The Mediation and Conciliation Centre
High Court of Madras
Chennai 600 104.



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G.R.SWAMINATHAN, J.

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and
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23.05.2025