



O.A. No.993 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2025

CORAM

THE HON'BLE Mr. JUSTICE ABDUL QUDDHOSE

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M/s.All in Pictures
A Registered Partnership Firm,
Represented by its Partner, T.Vijay Raghavendra,
Having its Office at 35B, 1st Street,
Loganathan Nagar, Choolaimedu 600 094 .. Applicant

Vs

Gautham Vasudev Menon .. Respondent

For Applicant	: Mr.Avinash Wadhwani
For respondent	: Mr.Abdul Hameed
	Senior Counsel for
	Mrs.Revathi Manivannan

ORDER

This application has been filed under Section 9 of the Arbitration and Conciliation Act, 1996 seeking for an order of interim injunction restraining the respondent from releasing the movie titled “Dhruva Natchathiram”.

2. The learned Senior Counsel appearing for the respondent on instructions would submit that the respondent had given an undertaking



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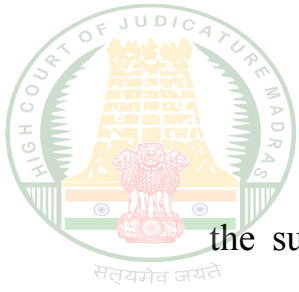
to this Court on 24.11.2022 in O.A. No.607 of 2022 that the respondent shall pay a total sum of Rs.2,40,00,000/- to the applicant before the release of the film “Dhruva Natchathiram” or before the release of any other movie directed or produced by the respondent. However, he would submit that the present application is not maintainable since the applicant is already having the benefit of an undertaking given by the respondent that he shall not release the movie “Dhruva Natchathiram” without paying the applicant a sum of Rs.2,40,00,000/- before release of the said movie. Admittedly, the movie “Dhruva Natchathiram” is yet to be released. The applicant is having the benefit of an interim injunction in this application from 23.11.2023 and the order of interim injunction has been extended periodically and is still in force. Admittedly, the movie “Dhruva Natchathiram” is yet to be released by the respondent. Admittedly, an undertaking was given by the respondent before this Court on 24.11.2022 in O.A. No.607 of 2022 that he shall pay Rs.2,40,00,000/- to the applicant before the release of the movie “Dhruva Natchathiram” or before the release of any other movie directed or produced by him. However insofar as the undertaking given by the respondent that the aforesaid sum will be paid to the applicant before the



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release of any other movie directed by him is concerned, the learned Senior Counsel appearing for the respondent on instructions would submit that the respondent will have to file an application seeking for clarification before the concerned Hon'ble Judge, who had passed the said order. However, as on date, the undertaking given by the respondent holds good as recorded in the order, dated 24.11.2022 passed in O.A. No.607 of 2022. Since the applicant is having the benefit of an order of interim injunction in this application from 23.11.2023 and in view of the undertaking given by the respondent before this Court in the earlier application which has been recorded in the order, dated 24.11.2022 passed in O.A. No.607 of 2022, this Court after giving due consideration to the fact that the movie "Dhruva Natchathiram" is yet to be released after coming to the conclusion that the applicant has made out a prima facie case and the balance of convenience and irreparable hardship has also been established has to make the interim injunction order granted in this application absolute. Accordingly, the interim injunction granted by this Court on 23.11.2023 in this application is made absolute and this application is allowed as prayed for. Liberty is granted to the respondent to file an appropriate application in the event of the respondent paying



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the sum of Rs.2,40,00,000/- to the applicant before the release of the movie “Dhruva Natchathiram”. In case, the applicant desires to claim interest for the delayed payment from the respondent, he is entitled to approach the arbitrator for the same.

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ABDUL QUDDHOSE, J.

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