



WEB COPY

OSA No. 337 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2025

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

OSA No. 337 of 2025

1. G. Sampathkumar IPS
C/o. The Office of the Director General
of Police, Dr. Radhakrishnan Salai,
Mylapore, Chennai 4.

Appellant(s)

Vs

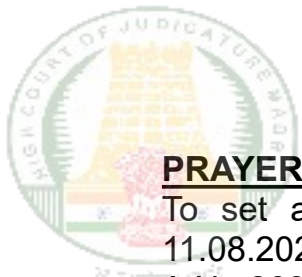
1. Mahendra Singh Dhoni
Shaurya H-10-A, Harmu Housing Colony,
Besides SBI Harmu, Ranchi, Jharkhand
834 012.

2.Zee Media Corporation Limited
(Zee News Channel) Essel Studio, FC-19,
Sector 16-A Noida 201301, Uttar
Pradesh. Alpha Centre, Essle House, 3rd
Floor, 150 and 151, North Usman Rd,
T.Nagar,Chennai -17.

3.Sudhir Chaudhary
Ex-Editor And Business Head Of Zee
News Channel, Zee Media Corporation
Limited Essel Studio FC-19 Sector 16-A
Noida 201301 Uttar Pradesh.

4.News Nation Network Pvt Ltd.,
(News Nation Channel) Plot No.14,
Sector 126, Noida,Uttar Pradesh -201
301.

Respondent(s)



PRAYER

To set aside the Order passed in Application Nos.2681 of 2024 dated 11.08.2025 in CS.No.185/2014 and 208/2014 and to pass a speaking order on A.No.2681/2024 and to pass such further or other orders as this Court.

For Appellant(s): Mr.T. Karthikeyan

For Respondent(s): Mr. P.R.Raman
Senior Counsel
For Mr.Anupam Raghuraman And
Mr. Samdesh Saravanan For R1.

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

The present original side appeal has been instituted to assail the order dated 11.08.2025 passed in CC.No.185 of 2014 and Application No.2681, 2034 of 2024 and O.A.No.208 of 2014.

2. 1st respondent, Mahendra Singh Dhoni, has instituted a suit for damages and compensation. Appellant is a retired IPS officer and 3rd defendant in the suit.

3. The grievances of appellant is that, in an application filed by him seeking to vacate interim injunction, Trial Court appointed an Advocate Commissioner to record evidence of plaintiff commencing from 20.10.2025. In the opinion of appellant, such an order ought not to have been passed since presence of 1st respondent/plaintiff is essential for the purpose of effective conduct of trial.

4. Learned counsel for the 1st respondent would oppose by stating that



1st respondent/plaintiff is a cricketer and he has filed an affidavit stating that he will extend his fullest cooperation in all respects. Based on the said affidavit filed by the 1st respondent/plaintiff, Court appointed an Advocate Commissioner to record evidence of plaintiff, to expedite the trial and to minimize inconvenience to parties.

6. Considered the rival submission of parties to the lis on hand.

7. Admittedly, 1st respondent/plaintiff is a cricketer and a celebrity. If his physical presence in the Court, made compulsory, arrangements require to be made will be difficult for Courts. Therefore, Court thought fit and appointed an Advocate Commissioner to record evidence of plaintiff commencing from 20.10.2025. However, appointment of an Advocate Commissioner would not cause any prejudice to parties. Advocate Commissioner has to record evidence of 1st respondent/plaintiff in the presence of appellants/3rd respondent or his counsel. The appellant will be provided all opportunities to cross examine the 1st respondent/plaintiff and to defend his case in the manner known to law.

8. In view of above facts, Trial Court has considered the affidavit filed by 1st respondent/plaintiff and appointed an Advocate Commissioner to record evidence. The said exercise made by Trial Court is in consonance with the procedure established and there is no infirmity as such.



9. Certain objectionable remarks made by appellant/3rd defendant in the grounds of appeal, as noticed by Court, stands expunged, in view of the memo filed by appellant rendering unconditional apology. Accepting the said memo, said portion of the objectionable remarks is expunged.

9. In view of the above, Trial Court is requested to expedite the trial. Accordingly, the Original Side Appeal stands dismissed. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

(S.M.SUBRAMANIAM J.)(MOHAMMED SHAFFIQ J.)
04-11-2025

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No

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