

WEB COPY

A No. 931 of 2026 & A.No.2217 of 2
in C.S.(COMM.DIV.)No.115 of 2 Order QR



IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON
06.07.2026

PRONOUNCED ON
28.09.2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

A No. 931 of 2026
and A.No.2217 of 2025
in C.S.(COMM.DIV.)No.115 of 2025

A No. 931 of 2026

M/s.TSR Films Private Limited,
Represented by its authorized Signatory,
D.Teddy Joshua,
No 2, Old No 29, Lake Area,
First Cross Street,
Nungambakkam, Chennai – 600 034.

..Applicant(s)

Vs

1. P.V. Prasath
2. M/s.Raviprasad Film Labs Private Limited,
Represented by its Managing Director,
P.Ravikumar,
No.8/11 VOC Main Road,
Kodambakkam Chennai.
3. Tamil Film Producers Council,
Represented by its Honorary Secretary,
Having Office at
No 606 Anna Salai,
South Indian Film Chamber Compound,
Chennai – 600 006.

..Respondent(s)

PRAYER:- Application filed to Reject the Complaint in C.S.(Comm.Div) No.115 of 2025 and pass such further or other order as this Court may deem fit in the facts and circumstances of the present case and thus render justice.



WEB COPY



For Applicant(s):

Ms.Mamta
M/S.D.R.LAW CHAMBERS

For Respondent(s):

Mr.S.R.Rajagopal
Senior Counsel
for Mr.M.V.Vikkiram Raj for R1

Mr.P.L.Narayanan
Senior Counsel
for Mr.E.Hariharan for R2

No appearance for R3

A.No.2217 of 2025

P.V. Prasath

... Applicant(s)

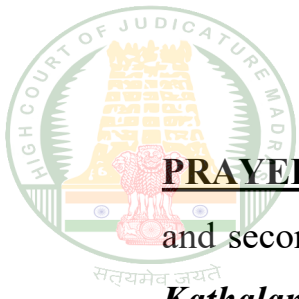
Vs

1. M/s.Raviprasad Film Labs Private Limited,
Represented by its Managing Director,
P.Ravikumar,
No.8/11 VOC Main Road,
Kodambakkam Chennai.

2. M/s.TSR Films Private Limited,
Represented by its authorized Signatory,
D.Teddy Joshua,
No 2, Old No 29, Lake Area,
First Cross Street,
Nungambakkam, Chennai – 600 034.

3. Tamil Film Producers Council,
Represented by its Honorary Secretary,
Having Office at
No 606 Anna Salai,
South Indian Film Chamber Compound,
Chennai – 600 006.

... Respondent(s)



WEB COPY



PRAYER:- Application filed to pass an order of interim direction to the first and second defendants to immediately release of the said film “*Sakunthalavin Kathalan*” by fixing 30.04.2025 as date of release and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case.

For Applicant(s): Mr.S.R.Rajagopal
Senior Counsel
for Mr.M.V.Vikkiram Raj

For Respondent(s): Mr.P.L.Narayanan
Senior Counsel
for Mr.E.Hariharan for R1

Ms.Mamta
M/S.D.R.LAW CHAMBERS for R2
No appearance for R3

COMMON ORDER

In a suit filed for recovery of money as against the defendants 1 and 2, a relief of mandatory injunction for a direction to release the film indicated in the plaint. An application for an interim direction had also been made seeking for the release of the said film. The second defendant had filed an application to reject the plaint.

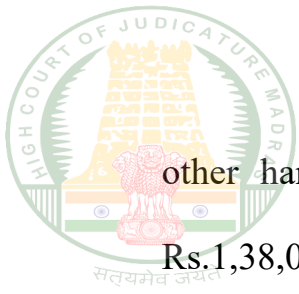
2. Heard the learned counsels appearing for their respective parties in both the applications. In view of inter-party applications, the parties are referred to as per their rank in the plaint.



3. The learned counsel appearing for the plaintiff would submit that the plaintiffs and the first defendant had entered into a Lab Finance Agreement, wherein the first defendant had lent a sum of Rs. 50 lakhs to the plaintiff for production of the film titled ***“Sakunthalavin Kathalan”***. However, the first defendant had not abided by the said agreement and had paid only a sum of Rs.12,50,000/- even with regard to the first schedule of payment. That apart, the first defendant had failed to provide service as promised under the said agreement. In spite of which the plaintiff had completed the production of the movie and had approached the second defendant to exhibit the said film in the theatres for which advertisements were made in the public media.

4. While that being so the first defendant had issued notice through mail claiming that the dues have not been settled by the plaintiff and therefore, requested the film not to be released until further instructions. In spite of several discussions, the first defendant had refused to issue NOC for the release of the movie. However, the film was exhibited by the second defendant in the theatres under its control, at which point of time the first defendant had issued a notice to stop exhibiting the film.

5. He would submit that in view of the release in theatres without proper authorisation there is a great apprehension of piracy of the movie. He would further submit that the plaintiff had invested huge sums of money in the production of the movie by borrowing loans from various third parties. On the



other hand, the first defendant had issued a notice demanding a sum of Rs.1,38,00,000/- by a legal notice dated 03.01.2023. The release of the film by the second respondent and without any proper authorization and the stoppage of release of the movie by the second defendant on the notice to the first defendant had caused severe mental agony and hardship. Hence, he had instituted a suit for damages as well as for a mandatory injunction for the release of the film. He would submit that if the release of the film is further delayed, it would only cause severe prejudice to the plaintiff and therefore, prays this Court to grant direction as prayed for.

6. He would further submit that the application filed for rejection of the plaint at the behest of the second defendant in its entirety is wholly misconceived. He would submit that it is the claim of the second defendant that he was not aware of the transaction between the plaintiff and the first defendant and he had been unnecessarily dragged to the suit. He would submit that in view of the release of the film by the second defendant there is a likelihood of piracy of the film and that the release of the film at the instance of the second defendant in the theatres controlled by it would cause severe damage not only monetarily to the plaintiff but also damage the reputation of the plaintiff. In that regard he would submit that the second defendant is also a just and necessary party to the suit and liable to pay the damages. Hence, he seeks dismissal of the application.



7. Countering his arguments, the learned counsel appearing for the first defendant would submit that the interim relief that had been sought for is also the very same relief that had been sought in the suit. If such relief is granted at the interim stage before deciding the issues between the parties, it would render the prayer in the suit to be infructuous and in that regard, he would refer to the Provisions of the Specific Relief Act and therefore, seeks dismissal of the application for direction.

8. The learned counsel appearing for the second defendant would submit that the second defendant is a digital service provider and exhibits films based upon the approvals and authorisation from the concerned authority namely the producer or the film lab experts in the theatre through satellites. He would submit that the plaintiff by letter dated 29.12.2022 had given an authorisation for the release of the said film in 8 theatres on 30.12.2022. He would further submit that the second defendant was not aware of the transactions between the plaintiff and the first defendant. He would further submit that plaintiff had suppressed the outstanding dues payable to the first defendant for the said film. On receipt of the notice issued by the first defendant to stop exhibiting the film, necessary action was taken by the second defendant to stop the screening of the film. He would submit that in a dispute between the plaintiff and the first defendant, the second defendant had been unnecessarily dragged in and had been made a party to the suit. He would further submit that at any stretch of



imagination the second defendant is not liable for any damages as claimed by the plaintiff. In that regard he would submit that there is no cause of action against the second defendant and therefore, prays this Court to reject the plaint.

9. I have considered the submissions made by the learned counsels appearing on either side and perused the materials available on record.

10. The prayer that had been sought for in an application for a direction to release the film is the second prayer that had been sought for in the suit.

11. A reading of the plaint as also the affidavit filed in support of the application filed for interim direction would indicate that the film had been released by the second defendant on 30.12.2022, but however on the instruction given by the first defendant, the exhibition of the film had been stopped. The issuance of such a communication by the first defendant had been admitted to by all the parties.

12. When that being so this Court is of the view that without seeking for a declaration as regards to such a communication issued by the first defendant on the alleged dues payable by the plaintiff to the first defendant, a direction to release the film *prima facie* in the considered view of the court could not be entertained.

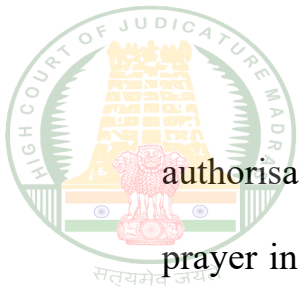


13. That apart granting such a relief in the interim application would make the main relief which is similar in nature without any trial on the issue would make the suit becomes infructuous. Such mandatory relief as sought for in this main suit could not be granted by way of an interim relief without trial in the suit. Hence, this Court is of the view that the application for interim direction could not be entertained.

14. The primordial contention of the second defendant is that the second defendant was not aware of the transactions between the plaintiff and the first defendant and based upon the authorisation given by the plaintiff the film was exhibited but, when a stop notice was issued by the first defendant alleging dues payable by the plaintiff to it, the exhibition of the film was immediately stopped in consonance with the practice in film industry.

15. In that regard it is the contention of the second defendant that the second defendant could not be mulcted with the claim of damages as made by the plaintiff against it and that there is no cause of action for the plaintiff to sue the second defendant for damages.

16. In that regard it is to be noted that there is an admission of a fact by the plaintiff that the second defendant had approached the plaintiff for grant of authorisation for exhibition of the film and the plaintiff had issued such an



authorisation. When such is the admitted position with regard to the second prayer in the suit namely the relief of a mandatory injunction for release of the film by both the first and second defendants, the plaint even as against the second defendant could not be rejected solely on the ground that there was no cause of action with regard to the first relief. In that regard this Court is not inclined to reject the plaint for the reasons as claimed by the plaintiff as it is also a settled law that a plaint cannot be rejected in part.

17. For the aforesaid reasons both the applications are dismissed.
However, there shall be no order as to costs.

28.09.2026

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

GBA



WEB COPY



A No. 931 of 2026 & A.No.2217 of 2
in C.S.(COMM.DIV.)No.115 of 2 Order QR

K.KUMARESH BABU, J.

GBA

A No. 931 of 2026
and A.No.2217 of 2025
in C.S.(COMM.DIV.)No.115 of 2025

28.09.2026