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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-11-2026

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THE HON'BLE MR.JUSTICE P.B. BALAJI

OA No. 1229 of 2026, A.Nos.4827 & 4828 of 2026
in
C.S(COMM DIV) No. 303 of 2026

Case QR

CNR:{HCMA012661542026}

Saravanan Hari
49, Ramakrishna Nagar Main Road, Ernavoor,
Chennai

..Applicant/Plaintiff

Vs

1. Blink Commerce Private Limited
   Represented by its Director
   Having store / hub at 40, 41 Moosa Street,
   CIT Nagar Chennai - 600017
   Having registered office at
   Ground Floor, Tower A, Pioneer Square
   Building Golf Course Extension Road,
   Sector 62, Gurugram,
   Haryana 122098.

2. Bennet Coleman Company Limited
   Publishers of the Times of India
   Represented by its Managing Editor
   Times House 126-127, Chamiers Road,
   Nandanam, Chennai - 600035.
   and also at Times of India Building
   Dr. D N Road, Mumbai 400 001
   Maharashtra

3. Ashok Kumar / John Doe

..Respondents/
Defendants

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OA No. 1229 of 2026 is filed to grant an order of interim injunction restraining the Respondents, including the unknown persons/john doe, their agents, associates, advertisers, men, servants, representatives, officers, employees, platforms, software, and such their person, entity, software, and technology, directly or indirectly from using appropriating, exploiting, publishing or transmitting the person/personality of the plaintiff without express written license from the plaintiff, pending disposal of the suit.

A No. 4828 of 2026 is filed to grant an order of interim direction to Respondent Nos.1 and 2, to preserve all the materials, relating to the impugned Advertisement displayed in Sunday Times, newspaper edition dated 23/03/2025, including the artworks, samples, memo, correspondences between the Respondents and the design team,/external vendor/contractor and such other materials used at arriving at the design, and the emails communications, pending disposal of the suit and produce them before this Honble Court.

For Applicant: Mr. Aditya Vikram Bhatt
for M/s.Vivrti Law

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Heard Mr.Aditya Vikram Bhatt, learned counsel for the applicant/plaintiff.

2. This is an interesting case, where a diehard fan of the Chenni Super Kings (CSK) has filed the present suit, seeking to protect his individual

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personality rights. While it is not uncommon for celebrities from the film industry and sportspersons to file such civil action to protect the personality rights, admittedly, the plaintiff is not a celebrity like Amitab Bachchan, Rajinikanth or sportspersons like Sachin Tendulkar or M.S.Dhoni. He is only a fan of the cricket team CSK, which participates in the IPL. He has been travelling along with the team and attending cricket matches played by CSK, not only in India, but across the world and cheers CSK. He has made a niche for himself by painting himself yellow and adorning his body with the name Dhoni and the No.7 jersey of Mr.M.S.Dhoni, the then captain of CSK.

3. Learned counsel for the applicant/plaintiff took me through the various newspaper articles and interviews, wherein specific and special reference has been made to the applicant/plaintiff. The constitution protects the rights of every individual and it need not be restricted or limited to celebrities like actors and sportspersons who have made a mark for themselves.

4. Today, the applicant/plaintiff is before this Court contending that the first defendant, without his consent or authority, has copied his image in an advertisement that was carried in the first page of the Sunday Times newspaper edition, on 23.03.2025. It is also the case of the learned counsel for the applicant/plaintiff that the said advertisement continues to be available in the online edition of the Times of India. He would, however, fairly state that

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excepting for the said advertisement, there has been no other reproduction of either the plaintiff's name, image or photograph in any other newspaper or article. Learned counsel for the applicant/plaintiff further states that, after coming to know of the advertisement, the persons, known to the applicant/plaintiff, have contacted him and asked him whether he is endorsing the product and service advertised by the first defendant. It was only then the plaintiff came to know that the personality rights of the applicant/plaintiff were being misused by the first defendant.

5. The plaintiff has also caused a pre-suit notice to defendants 1 & 2, the first defendant, who has caused the advertisement to be published and the second defendant, being the newspaper, in which the advertisement appeared. The front page of a Sunday edition is usually an advertisement of commercial significance, insofar as newspapers are concerned.

6. Learned counsel for the applicant/plaintiff states that three applications have been taken out; One seeks for an interim injunction to restrain the respondents, including unknown persons, being a John Doe action, from either directly or indirectly exploiting or publishing the image of the applicant/plaintiff in any form without the authority of the applicant. He also states that there are two other applications that have been taken out; (i) one to preserve and produce their books of accounts from 23.03.2025 till date, pertaining to their earnings

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from the State of Tamil Nadu and the City of Chennai and (ii) for an interim direction to respondents 1 & 2, to preserve all the materials relating to the impugned advertisements displayed in Sunday Times, newspaper edition dated 23.03.2025, including the artworks, samples, memo, correspondences between the Respondents and the design team other materials used at arriving at the design, and the emails communication.

7. Learned counsel for the applicant/plaintiff has also taken me through the pre-suit notice and reply notices that have been received from both the defendants. Though the plaintiff has specifically alleged that without his authority or consent, his image has been reproduced and any person, who has seen the advertisement, will definitely get an impression that it is the applicant/plaintiff, who chose to or either consented for his image to be reproduced in the paper or that he is part of the first defendant group, which has published an advertisement in Sunday Times, Chennai Edition.

8. In response, the first defendant has sent a reply disowning the resemblance to the applicant/plaintiff and stating that the characters depicted in the advertisement are entirely distinct and fictional in nature and that it bears no relation or connection to the applicant/plaintiff. *Prima facie*, I am unable to see any substance in the said contention taken by the respondents. As rightly pointed out by the learned counsel for the applicant/plaintiff, various newspaper

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articles and also in television coverage, especially during the cricket matches, the popular pose of the applicant has been reproduced by the first defendant in the second defendant's newspaper. The second defendant sent an individual reply contending that they have only published the advertisement and they are not responsible for the contents. The liability of the second respondent will have to be tested only during trial.

9. As far as the first defendant is concerned, on examining the impugned advertisement, *prima facie*, there is a clear resemblance to the plaintiff and the same pose in which he is shown/portrays in various articles, leading newspapers across the country. There is every likelihood that the public will be misled to believe that it is the applicant, who has been part of the advertisement, that has been published by the first defendant. Admittedly, the advertisement is a commercial venture and therefore, without the consent and prior permission of the applicant, the first defendant cannot exploit the individual personality rights that have been acquired, whatever little it may be, for commercial gain. Therefore, I am *prima facie* satisfied that the applicant has made out a case for grant of an interim injunction as prayed for against the first defendant in O.A.No.1229 of 2026.

10. Insofar as the application in A.No.4827 of 2026 for preserving the accounts, the said application can be heard out upon the respondents entering appearance and filing counter.

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11. However, insofar as A.No.4828 of 2026 is concerned, I see merit in the apprehension of the learned counsel for the applicant that if the artwork, samples and other relevant materials are destroyed pending suit, then the applicant will not be in a position to make out a case for damages and commercial exploitation, made at the expenses of the applicant. Hence, there shall be an interim direction as prayed for in A.No.4828 of 2026.

12. Notice to the respondents returnable by 14.12.2026. Private notice is also permitted. Applicant shall comply with Proviso (b) to Rule 3 of Order 39 CPC.

13. List the matter on 14.12.2026.

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P.B.BALAJI J.

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