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**C.S.No.59 of 2021**  
**and**  
**A.Nos.3685 and 3686 of 2022**  
**A.No.3534 of 2023 and A.Nos.3205 to 3208 of 2023**

**P.T.ASHA, J.,**

It appears that on 08.03.2022, this Court had passed the following order in O.A.No.35 of 2022:

*(i) The respondent is directed to establish an in a General, Madras High Court, for a sum of Rs. 15 crore interest bearing fixed deposit account nationalised bank in the name of the Registrar for an initial period of one year, and should be to the credit of the suit. Such fixed deposit shall be renewed until disposal of the suit.*

*(ii) Upon establishing the fixed deposit, the original fixed deposit receipt shall be deposited with the Registrar General and a copy thereof shall be provided to the applicant/plaintiff.*

*(iii) Such fixed deposit shall be established within a period of three weeks from the date of receipt of a copy of this order.*



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*(iv) The fixed deposit shall be subject to the outcome of the suit.*

*(v) The applicant is permitted to produce the additional documents subject to objections by the respondent, including with regard to relevance and proof. The respondent shall file the statement of admission/denial in respect of the additional documents within two weeks.*

*(vi) List the suit on 22.03.2022*

2. This order was taken up on appeal in O.S.A(CAD) No.73 of 2022 by the defendant to the Division Bench, while confirming the fact that the payment of Rs.15,00,00,000/- (Rupees fifteen crores only) by way of fixed deposit had to be made, had modified the order since the Bench was of the opinion that the learned Single Judge had not specified the consequence of non-compliance. Therefore, to that extent, the Division Bench felt that the order of the learned Single Judge had to be modified and consequently, the following modification was made in



addition to the deposit of Rs.15,00,00,000/- (Rupees fifteen crores only), which is as follows:

*“8. In the result,*

*(i) O.S.A.(CAD) No. 73 of 2022 is disposed off by modifying the order of the Learned Single Judge:*

*(ii) However, the following Clause (iv-a) is added to the Common Order of the Learned Single Judge dated 08.03.2022 in O.A. No.35 of 2022:*

*“(iva) failing compliance of the above direction, there shall be an injunction against the defendant from in any manner releasing in cinemas or OTT platforms or in any mode whatsoever all or any of the feature films/ film projects produced or financed by the defendant in any manner whatsoever, pending disposal of the suit.”*

3.It is informed to this Court today that the deposit of Rs.15,00,00,000/- (Rupees fifteen crores only) has not been made by



the first defendant.

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4. On 26.08.2022, the first defendant was present before this Court in person pursuant to the order of this Court dated 03.08.2022, and he had made a representation before this Court that he did not have the requisite resources to deposit the sum of Rs. 15,00,00,000/- (Rupees fifteen crores only), and he was directed to do the following:

*(i) file an affidavit disclosing all his assets, whether movable, immovable, encumbered or unencumbered.*

*(ii) submit a proposal to secure the suit claim to the extent of Rs.15 crore.*

5. The affidavit, which was directed to be filed by the first defendant on 09.09.2022 has not been filed to date. The first defendant has been flouting every order of this Court as well as breaching the undertakings that he has given to this Court. It is informed that on the



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date on which the first defendant appeared in person before this Court and stated that he did not have funds, on the very same day, he received a sum of Rs. 1,00,00,000/- (one crore only) from the second respondent, S. Vinod Kumar, proprietor of Mini Studios. Therefore, the first defendant has blatantly made false statements before this Court.

6. The learned counsel for the plaintiff seeks time to file a necessary application for perjury.

7. Considering the conduct of the first defendant, which is unacceptable and aimed at deflecting orders of the Court, this Court grants an order of injunction restraining the release of the movie "Mark Antony," in which the first defendant has acted. Considering the repeated flouting of the orders of this Court by the first defendant, the first defendant is directed to appear before this Court on 12.09.2023. The Court is conscious of the fact that the applications before this Court is one for orders against the Garnishee. However, taking into account the fact that the original order in O.A.No.35 of 2022



which was confirmed in O.S.A(CAD) No.73 of 2022 has not been complied with, this Court has proceeded to pass orders of injunction in A.Nos.3205 and 3207 of 2023.

8. Post the matter on 12.09.2023.

08.09.2023

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**Note: Issue order copy today**



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**P.T.ASHA.J**

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**08.09.2023**