

O.A. Nos.1222 of 2025
and A.No.6458 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 02.01.2026

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THE HONOURABLE MR.JUSTICE **SENTHILKUMAR RAMAMOORTHY**

**O.A. Nos.1222 of 2025
and A.No.6458 of 2025
in C.S. (Comm.Div.) No.344 of 2025**

K.V.Rajendran @ Varun Rajendran

.. Applicant in
both applications

vs

1.Sudha kongara
2.Arjun Nadesan
3.Mathimaran Pugazhendhi
4.Dawn Pictures Private Ltd.,
rep. By its Managing Director
Mr.Aakash Baskaran
(Producer – Parasakthi Film),
Flat B2, 2nd Floor, La Gracia,
5 & 7, Old No.3 & 4, KB Dasan Road,
Alwarpet, Teynampet, Chennai – 600 018.

5.The South Indian Film Writers' Association
(SWAN) rep. By its
President/Secretary/Treasurer,
Srinivasa Flat, Flat No.A1, Ground Floor,
No.163, Bhaskar Colony 1st Street,
Saligramam, Chennai – 600 093.

.. Respondents in
both applications

O.A.No.1222 of 2025 in C.S. (Comm.Div.) No.344 of

2025: Application filed under Order XIV Rule 8 of Original Side
Rules read with Order XXXIX Rules 1 and 2 of C.P.C. to grant an ad
interim injunction restraining the fourth defendant from releasing



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and continuing to permit the screening of the movie 'PARASAKTHI' either by way of theatrical exhibition, in satellite or digital exhibition such as Over The Top Platforms online throughout the world in any of the world languages of original, dubbing or in remake version through satellite relay, online relay, digital relay from anywhere in the world with or without subtitles including any translated or transliterated version by any person or persons claiming through the defendants pending disposal of the suit.

A.No.6458 of 2025 in C.S. (Comm.Div.) No.344 of 2025:

Application filed under Order XIV Rule 8 of Original Side Rules read with Section 151 C.P.C. to grant an interim direction directing the fifth defendant to constitute a committee of experts from the film industry and to examine the plaintiff's story/script CHEMMOZHI and the story and script of the defendants 1 to 3 of the movie PARASAKTHI being produced by fourth defendant and submit a detailed comparison report within a week before this Court, pending disposal of the suit.

For Applicant : Mr.M.Purushothaman
in both applications

For Respondents : Mr.P.S.Raman,
Senior Counsel
for Mr.Vijayan Subramanian
for R1 in both applications
Mr.P.H.Arvindh Pandian,
Senior Counsel
for Mr.Vijayan Subramanian
for R4 in both applications
Mr.Vijayan Subramanian
for R2 and R3
in both applications



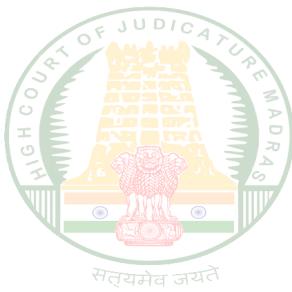
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COMMON ORDER

The plaintiff asserts that he authored a script titled 'CHEMMOZHI' consisting of two parts and running to 56 typed pages. The said script was registered with the fifth defendant on 27.01.2010. Thereafter, the plaintiff endeavoured to make a movie on the basis of the said script. After coming to know that the defendants were endeavoring to produce and exhibit a movie by copying the plaintiff's script, the plaintiff instituted the present suit seeking remedies in respect of alleged copyright infringement. In the said suit, two interlocutory applications have been filed seeking an interim injunction to restrain the fourth defendant from releasing or screening the movie PARASAKTHI and for a direction to the fifth defendant to constitute a committee of experts from the film industry to compare the script CHEMMOZHI with the script of defendants 1 to 3 of the movie PARASAKTHI.

2. At the hearing on 26.12.2025, the first and fourth defendants were represented by counsel. Notice was issued to the second, third and fifth defendants. The fifth defendant was directed to examine the complaint filed by the applicant/plaintiff and submit a report thereon before this Court on 02.01.2026.



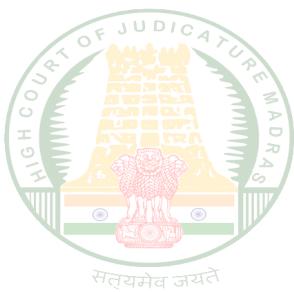
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3. Both learned senior counsel for defendants 1 and 4 and learned counsel for the plaintiff submit that the fifth defendant had issued notice to the parties in relation to the direction issued by this Court earlier. Mr.Vijayan Subramanian, learned counsel for the first defendant, also accepts notice for the second and third defendants and undertakes to file vakalat on their behalf.

4. The contentions of learned counsel for the plaintiff may be summarized as under:

4.1 The plaintiff was named after one of martyrs of the anti-Hindi agitation, viz., M.Rasendran. On account of his deep love for the Tamil language, the plaintiff authored the script CHEMMOZHI and registered the same with the fifth defendant on 27.01.2010;

4.2 Later, in order to obtain additional information regarding the anti-Hindi agitation, the plaintiff met various people who were involved in the anti-Hindi agitation;



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4.3 After coming to know that the defendants

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4.4 The first defendant has previously plagiarized the stories written by others. The screen shot of the YouTube video posted on 26.01.2025 is relied upon in this connection;

4.5 While the plaintiff has set out the details of the script in the plaint at paragraph No.14 thereof, the counter affidavits of the first and fourth defendants do not contain a substantive denial thereof.

5. The contentions of learned senior counsel for the first defendant in response to the above submissions may be summarized as under:



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5.1 The plaintiff has not prayed for a declaration that the defendants have infringed the plaintiff's copyright in the script CHEMMOZHI. Therefore, these interim applications are liable to be rejected;

5.2 The injunctive relief claimed in the suit is limited to restraining the defendants 1 to 4 from displaying the names of the first defendant and second defendant as writers and the name of the third defendant as the person providing the original concept. By contrast, the relief claimed in O.A.No.1222 of 2025 is wider and the plaintiff seeks to restrain the screening of the movie;

5.3 The plaintiff admits that he became aware of the efforts to make the movie in late 2023, but has chosen to institute the suit in December, 2025. The request for relief should be declined on the ground of laches.



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6. The submissions of learned senior counsel for the fourth defendant may be summarized as under:

6.1 The assertion that the movie PARASAKTHI is based on the applicant's story CHEMMOZHI was denied categorically in paragraph No.21. In the said paragraph, it was expressly stated that the dialogues, emotional pitch, sequencing of events and the manner in which the story unfolds bear no resemblance to the plaintiff's alleged work;

6.2 The fourth defendant had entered into an Expert Consultant Agreement dated 16.06.2025 with Mr.Ayyasamy Ramasamy, who was a student leader and participant in the 1965 anti-Hindi agitation. He expressly consented to the producer and director referencing his life experiences, personal recollections and historical inputs on work for hire basis.

7. The movie is scheduled for release on 10.01.2026. As noted earlier, the suit was instituted on 24.12.2025. The first salient aspect to be noticed is with regard to the nature of the relief



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claimed in the suit. The plaintiff has prayed for a permanent

injunction to restrain defendants 1 to 4 from describing, depicting or displaying in the movie PARASAKTHI the names of the first defendant and second defendant as writers and the name of the third defendant as creator of the original concept. In addition, damages have been prayed for.

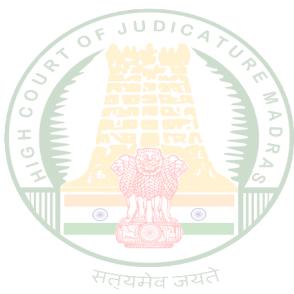
8. In O.A.No.1222 of 2025, the relief claimed is to restrain the fourth defendant from releasing and continuing to permit the screening of the movie PARASAKTHI either in cinema theatres or in OTT platforms and the like. If the defendants were to agree not to describe the first and second defendants as the writers and the third defendant as the creator of the original concept, as per the relief claimed in the plaint, the plaintiff would not be in a position to stop the screening of the movie. By contrast, the interim relief is to prevent screening of the movie. Since the interim relief travels beyond the scope of the relief claimed in the plaint, request for such interim relief is liable to be rejected. Since arguments were advanced to the effect that the plaintiff is entitled to at least the limited relief prayed for in the suit, I proceed to examine the request for such relief.



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WEB COPY 9. At paragraph No.14 of the plaint, the plaintiff has set out the sum and substance of the script. The first defendant has asserted in the counter affidavit at paragraph No.24 that the story was registered on 11.03.2020 with the fifth defendant. A copy of the story is, however, unavailable at present. The screen play is also unavailable at present. At paragraph No.21 of the counter affidavit of the fourth defendant, the assertion that the movie PARASAKTHI was produced by copying the script CHEMMOZHI is expressly denied as follows:

'21. It is respectfully submitted that upon a careful and comparative reading of the Applicant's story "Chemmozhi" and the screenplay, narrative structure, characters, dialogues, tone, time-frame, spatial setting and overall cinematic treatment of the film "Parasakthi", it becomes abundantly clear that there is no similarity whatsoever between the two works in any legally protectable sense. The synopsis mentioned in para 6 of the affidavit is completely denied. The characters in the film "Parasakthi", their arcs, motivations, interpersonal dynamics and narrative progression are wholly distinct and independently conceived. The dialogues, emotional pitch, sequencing of events, and the manner in which the story unfolds bear no resemblance to the plaintiff's alleged work.'



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10. On the basis of materials placed on record by the parties, at this juncture, it is not possible to even reach a *prima facie* finding that copyright infringement has taken place. It is also material to consider the other elements of balance of convenience and irreparable hardship. As noticed earlier, in addition to injunctive relief, the plaintiff has prayed for damages. The fourth defendant, who is the producer, has asserted that the movie is a big budget film and that any interference would cause huge financial losses. In the production of a movie, there are multiple stakeholders, all of whom would be adversely affected by an interim injunction. Both in the plaint and in the affidavits in support of the applications for interim reliefs, the plaintiff has mentioned that he became aware of efforts to make a movie by copying his script by end 2023. The plaintiff has proceeded to institute the suit only in December, 2025. Considering all these aspects, the balance of convenience is not in favour of the plaintiff. Even if the movie is released, the plaintiff would be in a position to claim damages. Hence, the plaintiff has not made out a case for the grant of relief in O.A. No.1222 of 2025. As regards the relief claimed in A.No.6458 of 2025, a direction was issued on 26.12.2025 to the fifth defendant to submit a report before the Court. Said report has not been filed till date. Given that



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copying is ordinarily required to be adjudicated from the perspective
of an average common reader or viewer, as the case may be, the
probative value of such report would warrant careful consideration
in course of final disposal.

11. For reasons set out above, these applications are disposed of as follows:

11.1 O.A. No.1222 of 2025 is dismissed without any order as to costs;

11.2 A. No.6458 of 2025 is disposed of by directing the fifth defendant to submit a report, as directed earlier, in a sealed envelope. The relevance, materiality and weight to be accorded thereto shall be determined in course of final disposal.

12. List the main suit in C.S. (Comm.Div.) No.344 of 2025 on 28.01.2026.

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P.S.: UPLOAD FORTHWITH

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SENTHILKUMAR RAMAMOORTHY,J.

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