

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-10-2026

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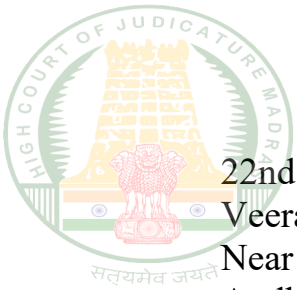
THE HON'BLE MRS.JUSTICE K. GOVINDARAJAN THILAKAVADI**OA (C.D.)No. 1050 of 2026**

Rajkumar Theatres Pvt. Ltd.,
Represented by its Director
Mr.Rajkumar Sethupathy,
27, 4th Main Road,
Raja Annamalai Puram,
Chennai -600028

..Applicant(s)

Vs

1. M/s.Wide Angle Creations
Represented by its partner
Shoba George,
62, Casa Major Road
Egmore, Chennai- 600 008
2. Ashirvad Cinemas
Represented by its Proprietor
M.J.Antony,
59/1047 Valakuzhi
Krishna Swamy Road,
Off Chittoor Road, Ernakulam - 682 035.
3. Mr.Jeethu Joseph
Valiyakandathi,
Murholoapuram, p.o
Elanji, Ernakulam 686665.
4. Star Studio 18
31st Floor, Tower 4,
One Unity Center,
Senapati Bapat Marg,
Prabhadevi,
Mumbai, Maharashtra 400 013.
5. Panorama Studios



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22nd Floor, Lotus Signature,
Veera Desai Road,
Near Country Club,
Andheri West, Mumbai 400 053.

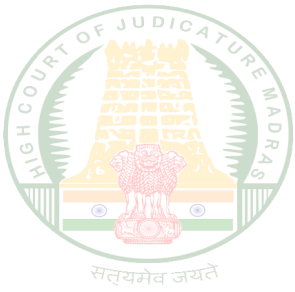
6. Ajay Devgn
5/6, Sheetal Apartments,
Ground Floor, Opposite Chandan Cinema,
Juhu, Mumbai 400 049.
7. Jyoti Deshpande
Zion Biz World,
Subhash Road 'A'
Vilr Parle (East)
Mumbai 400 057.

..Respondent(s)

Prayer: This application is filed under Order XIV Rule 8 O.S.Rules read with under Section 9(1)(d) of the Arbitration and Conciliation Act, 1996, to Grant interim protection by granting an injunction restraining the Respondents, their servants, agents, employees, assignees, licensees and every one claiming under or through the Respondents from releasing and exploiting the subject Hindi film “Drishyam 3” remade from the Malayalam movie “Drishyam 3”, and the Hindi version starting Ajay Devgn, Tabu, et al., directed by Abhishek Pathak anywhere in the World through theatrical release, Over-The-Top (OTT) platforms, satellite television, digital streaming platforms, internet, mobile applications, social media platforms, or through any other electronic, digital or physical mode or in any mode whatsoever in violation of the Applicants rights till the proposed arbitration.

For Applicant(s): Mr.K.Ravi, Senior Advocate
for Mr.Murugan of M/s.Rugan and Arya

For Respondent(s): Mr.K.Sharath Chandran for R1
Mr.Akshaya Ramadurai for R2 & R3
Mr.P.S.Raman, Senior Advocate
for Mr.Ragul Balaji for R4



Mr.K.Manoj Menon for R5

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This application has been filed by the applicant under Section 9 (1)(d) of the Arbitration and Conciliation Act, 1996.

2.According to the applicant, this application is for interim protection against infringement of copy right in terms of Section 62 of the Copy Right Act, in terms of the agreement dated 12.06.2014 between the applicant and the first respondent on the basis of which the copy right claim arises.

3.The subject matter of this application is the limited copy right of remaking the Malayalam Movie “Drishyam 3” in Hindi language and exploiting it all over the world, theatrically and all platforms, including OTT, in all formats.

4.The facts of the case in brief:

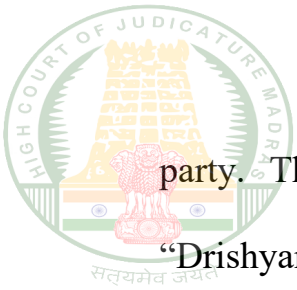
In 2013, the 2nd respondent produced the Malayalam movie titled “Dhrishyam”. The applicant entered into an agreement dated 22.12.2013 with the 2nd respondent and 3rd respondent and acquired the exclusive remake rights in Telugu language for the original film and also its sequels. Accordingly, the original film was remade by the applicant in Telugu, titled “Drushyam” and the same was also successfully exploited by them.



4.1. On the same day i.e., on 22.12.2013 the 1st respondent herein entered into an agreement with the 2nd & 3rd respondents under which the later assigned similar remake rights of the original film and its sequels in Hindi and certain other North Indian languages. In fact, the applicant funded the whole consideration of Rs.50 Crores for which the 1st respondent acquired such assignment, and it was agreed between the applicant and the 1st respondent that both will have 50 % share in such Hindi and North Indian language rights. Subsequently, under the agreement dated 12.06.2014 entered into between the applicant and the 1st respondent this sharing arrangement was confined in writing, in terms of which the applicant and the 1st respondent became equal and joint owners of the subject copy right.

5. The applicant remade the original film in Telugu titled Dhrushyam and successfully exploited the same. Thereafter, the 2nd respondent produced a sequel to the original film in Malayalam titled “Drishyam 2” directed by the 3rd respondent. According to the agreement dated 22.12.2013 the applicant remade such 1st sequel film also in Telugu as “Drishyam 2” and the same was also successfully exploited by the applicant.

6. The applicant and the 1st respondent, at the request of the 2nd respondent, jointly issued an NOC dated 20.01.2021 to the 2nd respondent to assign the remake rights only of “Drishyam 2” in Hindi language to any third



party. Thereafter, some time in May 2026, the 2ⁿ respondent produced “Drishyam” 3 in Malayalam, being the 2nd sequel film directed by the 3rd respondent. However, though, as per the said agreement dated 22.12.2013, the remake rights in Telugu for the 2nd sequel film also vested with this applicant, the 2nd and 3rd respondents announced that along with the worldwide release of “Drishyam 3” in Malayalam, the Telugu dubbed version was also to be released, thus attempting to infringe the exclusive copy right of the applicant. Hence, the applicant was constrained to approach this Court to file a suit in C.S.No.144 of 2026 and obtained an interim order restraining the respondents for infringing the copy rights of the applicant. Thereafter, the same was settled out of Court.

7.While so, the applicant came to know very recently that, the said Malayalam movie “Drishyam 3” has already been remade into Hindi by the same third parties, who made “Drishyam 2” in Hindi, however, without the knowledge and consent of the applicant. The applicant came to know that the above film is likely to be released on 2nd October 2026. Hence, the applicant has approached this Court to grant interim protection by way of an injunction restraining the respondents from releasing the remade Hindi version of “Drishyam 3” anywhere in the world and protect the applicant’s copy right from infringement .

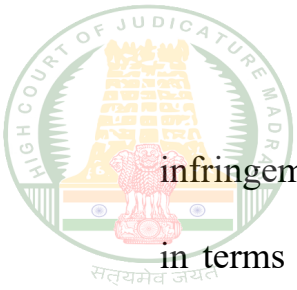
8.The application is resisted by the respondents 2 to 7 stating that the same is not one for protection against infringement, and Section 62 of the Copy



Right Act, 1957 has no application to an application under Section 9. The applicant produced no document establishing any subsisting exclusive right in its favour which entitles it to restrain this respondent from producing and exploiting the film, an independently developed Hindi sequel made pursuant to the right assign to Viacom 18 under the 2014 Assignment and preserved under the 2022 Settlement Agreements. Even assuming that the applicant has any *inter se* contractual claim arising from the 2013 Agreement read with the Co-production Agreement in relation to the Malayalam “Drishyam 3” such claim cannot override the Hindi sequel and derivative rights which the applicant itself subsequently assigned to Viacom 18. Whatever rights the applicant had under them are subject to, and were assigned under, the 2014 Assignment. It is denied that the applicant came to know of the film only 3 days before its affidavit. The applicant has no prima facie case, will suffer no irreparable injury. The allegation of “theft” and “patent illegality” are denied, since the respondent is exercising rights flowing from the 2014 Assignment executed by the applicant itself and recognised in the 2022 settlement agreements. There is no privity of contract between these respondents and the applicant and prays for dismissal of the application.

9. Heard and records perused.

10. This application has been filed by the applicant under Section 9(1)(d) of the A and C Act, 1996 seeking interim protection against the alleged

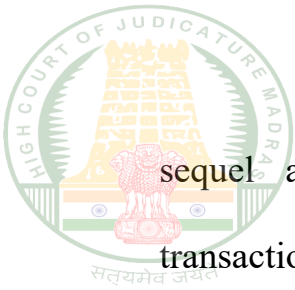


infringement of its copy right, invoking Section 62 of the Copy Right Act, 1957, in terms of the Arbitration Agreement dated 12.06.2014 entered into between the applicant and the 1st respondent.

11.The subject matter of the application is the alleged limited copy right in respect of remaking the Malayalam cinematograph film “Drishyam 3” in Hindi language and exploiting the same World Wide theatrically and through all platforms including OTT and in all formats.

12.The applicant seeks an order which would, in substance prevent the release and exploitation of the Hindi remake of “Drishyam 3” through out the world. Such an order would have serious consequences upon the rights claimed by the respondents and third parties deriving rights under the subsequent arrangements, Therefore, before granting such relief, the applicant must place before this Court clear material establishing a subsisting enforceable right which is threatened with imminent infringement.

13.The material presently placed before this Court does not, at this interlocutory stage, establish with sufficient clarity that the applicant continues to possess an exclusive or joint copy right in the Hindi remake rights of “Drishyam 3”, particularly in view of the subsequent assignment and settlement documents relied upon the respondents. The applicant’s contention that the rights acquired under the Agreement dated 22.12.2013 extended to the 2nd



sequel and that such rights continued notwithstanding the subsequent transactions, is a matter requiring examination of the contractual documents and the subsequent conduct of the parties.

14. Likewise, the respondents' contention that the applicant had assigned or otherwise dealt with the relevant Hindi and derivative rights is also a matter requiring adjudication.

15. Having regard to the nature of the competing contractual and copy right claims, and the fact that the applicant's asserted rights themselves are seriously disputed on the basis of subsequent documents, this Court is not persuaded that the applicant has, at this stage, established the necessary foundation for the grant of sweeping restraint and compensation sought.

16. Accordingly, this original application is dismissed.

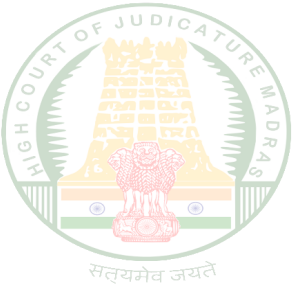
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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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