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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2026

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

OA No. 1211 of 2026
and C.S(COMM DIV) No. 299 of 2026

CNR:{HCMA012679922026} Case QR

1. B.Karthiyani,

2. V.P.Raman,

..Applicants/Plaintiffs

Vs

1. Novex Communications Pvt Ltd,
   No. 17/7, NRCS Towers, 4th Floor,
   Kodambakkam High Road, Nungambakkam,
   Chennai - 600 034.
   Having its headquarters at B-301, Remi Biz
   Court, Plot No.9, Shah Industrial Estate, Off
   Veera Desai Road, Andheri West,
   Mumbai 400058.

2. Taj Connemara,
   A part of The Indian Hotels Company Limited
   (TATA GROUP) No.2, Binny Rd, Anna Salai,
   Thousand Lights,Chennai 600 002.

..Respondents/
Defendants

O.A.No.1211 of 2026 is filed to grant ad-interim temporary injunction retraining the 1st Respondent/Defendant or its men, agents, representatives etc.,

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and/or any person claiming through it or acting on its behalf, from causing any kind of disturbance or inconvenience to the Applicants/Plaintiffs or their guests, and from arriving at, entering, or lingering near the premises of the venue or trespass during the duration of the private event to be hosted by the Applicants on 15.11.2026 at the Ballroom of Taj Connemara, Chennai until the disposal of the suit.

For Applicant: Mr. R. Sathish Kumar
for Mr. K.Seshasayee

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Heard Mr.R.Sathish Kumar, learned counsel for the applicant/plaintiff.

2. The suit has been filed for granting declaration that the first defendant has issued groundless threat of copyright infringement against the plaintiffs and for permanent injunction against the first defendant to cease and desist from causing unjustified threat to the plaintiffs to pay and obtain license from it for the sound recordings to be used at the private social festivity associated with their marriage to be held in the evening on 15.11.2026 at the Ballroom of Taj Connemara, Chennai.

3. Pending suit, O.A.No.1211 of 2026 is filed seeking ad interim injunction retraining the 1st respondent/1st defendant from causing, in any manner, any kind of disturbance or inconvenience to the applicants/plaintiffs or their guests, and from arriving at, entering, or lingering near the premises of the

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venue or trespass during the duration of the private event to be hosted by the applicants on 15.11.2026 at the Ballroom of Taj Connemara, Chennai, pending disposal of the suit.

4. Learned counsel for the applicants/plaintiffs would submit that applicants/plaintiffs are getting married on 15.11.2026 and in continuation of the wedding ceremony in the morning, they are planning to host a cocktail event followed by dinner in the evening at the Ballroom of Taj Connemara, Chennai. Learned counsel further states that the applicants/plaintiffs propose to engage third parties for the purpose of playing music and songs during the said event. The applicants have also claimed that they have already obtained No Objection Certificate from IPRS, which has been enclosed in the typed set of papers, vide document dated 20.10.2026. Admittedly, IPRS does not charge any money for giving consent or no objection for the rights available with IPRS to be used viz., sound recordings and sound tracks that have been licensed to the said IPRS, to be used at such events. However, the first respondent has sent a communication on 27.10.2026 to the second respondent hotel contending that playing of any sound recordings or sound tracks would amount to violation of the rights of the first respondent and that necessary consent will have to be obtained from the first respondent after payment of the requisite fee. The said notice was brought to the notice of the applicants/plaintiffs and in turn, the applicants are forced to file the present suit.

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5. Mr.R.Sathish Kumar, learned counsel for the applicants/plaintiffs, invites my attention to Section 52(1)(za) of the Copyright Act, 1957, more specifically to the Explanation, which says that for the purpose of this clause, religious ceremony includes a marriage procession and other social festivities associated with a marriage. Therefore, he states that the cocktail event followed by dinner, which is hosted in the evening on the same day of the wedding, is only associated with the marriage function, which is being celebrated in the morning at auspicious hours. Therefore, he contends it clearly comes within the definition of Section 52(1)(za) and is exempt from the general provisions requiring consent from the licensing authorities. He would further state that the applicants are not even aware as to what rights are held by the first respondent as on date and whether the songs that are going to be played at the event will be songs which are already licensed in favour of the first respondent, because they are hiring a third party, event manager, for the purpose of keeping the gathering engaged during the cocktail event. In any event, the question whether the applicants, by playing songs that are licensed to the first respondent, are infringing, is a larger issue and whether the applicants/plaintiffs are bound to get a No Objection Certificate from the first respondent can always be tested at a later state.

6. In fact, as rightly pointed out by Mr.R.Sathish Kumar, even in the impugned notice dated 27.10.2026, the first respondent himself admits to the fact that ongoing detailed position surrounding wedding-related events is, at best,

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contentions and under active judicial scrutiny, with Courts increasingly examining the misuse of Section 52(1)(za) as a blanket defence. Therefore, the first respondent is aware of the legal position as well. In any event, the applicants/plaintiffs, who are getting married on 15.11.2026 and are proposing to host a cocktail event followed by dinner, should not be put to any inconvenience, prejudice or embarrassment whatsoever. The larger issues can always to be decided at a later point of time and the interest of the first respondent is sufficiently protected and if at all the Court ultimately decides that the first respondent is the valid licence holder and that the applicants would have to get consent for playing music or songs licensed to them, then the first respondent can always be compensated monetarily.

7. For the present, I am of the considered opinion that the applicants have made out a *prima facie* case for the grant of an interim injunction. The balance of convenience is also in favour of the applicants/plaintiffs. If such an interim order is not made, the applicants/plaintiffs would be put to irreparable loss, if the first respondent attempts to interfere with the cocktail event, followed by dinner, by creating any chaos or commotion by arriving at the event, in the presence of the guests of the applicants/plaintiffs and creating untoward incidents at the event, thereby disturbing the smooth conduct of the cocktail event followed by dinner, thereby resulting in great embarrassment for the applicants/plaintiffs. In the light of the above, there will be an order of interim injunction as prayed for.

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P.B.BALAJI J.

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8. Notice to the respondents returnable by 03.12.2026. Private notice is also permitted. Applicants/plaintiffs shall comply with Proviso (b) to Rule 3 of Order XXXIX of CPC.

9. List on 03.12.2026.

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