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O.A. No.904 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

<i>RESERVED ON</i>	092425
<i>PRONOUNCED ON</i>	112525

CORAM

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

O.A. No.904 of 2025 in
C.S. (Comm. Div.) No.231 of 2025

Madhampatty Thangavelu Hospitality Private Limited

Represented by its Authorised Signatory

Mr.R.Karthik

having branch office at

Plot No.315, 4th Link Street

Kottivakkam, Chennai - 600096

.. Applicant

Vs.

1.Ms.Joy Crizildaa

2.John Doe/s

.. Respondents

Prayer : Application filed for an order of interim injunction restraining the 1st respondent/1st defendant, her men, agents, representatives or any persons claiming under or through her, from in any manner tagging, hashtag, making, writing, uploading, printing, publishing, broadcasting, distributing, posting, circulating, or disseminating in any form of media, whether print, electronic, digital, internet, social media platforms or otherwise, any false, malicious



O.A. No.904 of 2025

material, statements, videos, reels, captions, photographs, audio-visual content or communications or in any other manner directly or indirectly disparaging the goodwill and reputation of the applicant's/plaintiff's unregistered trademark "MADHAMPATTY PAKASHALA" and any of its associated Trademarks.

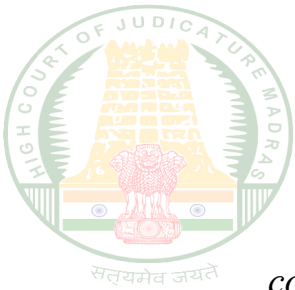
For Applicant : Mr.P.S.Raman, Senior Counsel
for Mr.Vijayan Subramanian

For Respondent : Mr.S.Prabhakaran, Senior Counsel
for Ms.R.Sudha

ORDER

This application has been filed by the applicant/plaintiff for an order of ad-interim injunction. The applicant herein is the plaintiff and the respondents herein are the defendants in the suit. The applicant/plaintiff has filed the above suit for the following reliefs:

a) a permanent injunction restraining the 1st defendant, her men, agents, representatives or any persons claiming under or through her, from in any manner tagging, hashtag, making, writing, uploading, printing, publishing, broadcasting, distributing, posting, circulating, or disseminating in any form of media, whether print, electronic, digital, internet, social media platforms or otherwise, any false, malicious material, statements, videos, reels, captions, photographs, audio-visual content or



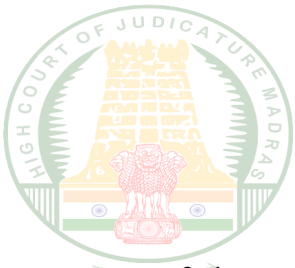
O.A. No.904 of 2025

WEB COPY

communications or in any other manner directly or indirectly, disparaging the goodwill and reputation of the plaintiff's unregistered trademark "MADHAMPATTY PAKASHALA" and any of its associated trademarks.

b) a mandatory injunction directing the 1st defendant to remove/delete the, defamatory instagram posts made in her instagram profile including tagging/hashtag the name of the plaintiff trademark Madhampatty Pakashala and other associated brands, in all social media platforms including but not limited to X (Twitter), Facebook, Telegram, Instagram and youtube.

2. The case of the applicant/plaintiff is that they are running a catering and food services business under the brand name "MADHAMPATTY PAKASHALA" from 2010. The said brand name has been duly registered under the Trademarks Act. The plaintiff submitted that they have invested a substantial sum of money in order to create awareness among the public with regard to the high-quality catering service, which they carry out under the trademark "MADHAMPATTY PAKASHALA". The applicant/plaintiff further claimed that they have been conferred with the award of "Asia's Best Food & Beverages Service Provider of India" for the year 2022 and the Food Connoisseurs India Award, National Edition 2025 has conferred "Best Caterer



O.A. No.904 of 2025

WEB COPY

of the year (South)" and "Best Luxury Caterer of the Year (South)" on them.

Apart from this, they also have an instagram account in the trade name "MADHAMPATTY PAKASHALA". The applicant/plaintiff contended that the acts of the first respondent/first defendant is *per se* defamatory, calculated to injure the reputation and goodwill meticulously built by the applicant/plaintiff. The applicant/plaintiff has been ridiculed by the acts of the first respondent/first defendant which has resulted in loss of credibility in commercial activities.

3. The present suit has been filed for disparagement of plaintiff's trademark "MADHAMPATTY PAKASHALA". According to the applicant/plaintiff, the disparaging and defaming posts are circulated through various social media platforms including but not limited to X, Instagram, YouTube etc. by the first respondent herein/first defendant and hence the suit has been filed for the reliefs stated supra.

4. Mr.P.S.Raman, learned senior counsel appearing for the applicant/plaintiff submitted that the applicant/plaintiff company has been registered under the trade name Madhampatty Thangavelu Hospitality Private



O.A. No.904 of 2025

WEB COPY

Limited and Page Nos.2 to 12 of the typed set of papers filed by the applicant/plaintiff are the tax invoices and Page Nos.13 to 16 depict photographs of various awards received by the plaintiff company. It is the further contention of the learned senior counsel that Madhampatty Rangaraj is one of the directors of the plaintiff company. Page No.5 is an interview given by the first defendant and at Page Nos.6 to 13 various photographs from interviews given by the first defendant in social media, which had been telecast in various social media platforms are annexed and Page Nos.15 to 18 are some of the photographs filed as part of the typedset of papers to establish that the first defendant is making malicious statements against one of the directors of the plaintiff company. Page Nos.19 & 20 of the additional typedset of papers-II, show youtube links containing disparaging content about plaintiff's trademark and one of the directors of plaintiff's company.

5. It is the further contention of the learned senior counsel that the first defendant while uploading videos and while giving so many interviews about the relationship with one of the directors, has hashtagged the company's name which has resulted in huge financial loss to the plaintiff. To substantiate the



O.A. No.904 of 2025

WEB COPY

same, the plaintiff has filed an additional typed set of papers dated 22.09.2025 containing the details of cancellation of the orders booked for the events from 31.08.2025 to 30.11.2025. Due to the cancellation, there is revenue loss to the tune of Rs.11,21,75,000/- and he contended that such a revenue loss occurred only because of the interviews, posts and the videos uploaded by the first respondent herein/first defendant in the social media by tagging the plaintiff's company and sought the relief of ad-interim injunction as stated supra.

6. Per contra, Mr.S.Prabhakaran, learned senior counsel appearing for the first defendant contended that one of the directors of the plaintiff's company, namely Madhampatty Rangaraj, is a well known, renowned chef having high profile contacts in the society such as industrialists, businessmen, etc. He does catering for wedding and other functions. Learned senior counsel further contended that the first defendant came to be introduced to the director of the plaintiff's company, namely Madhampatty Rangaraj, in a famous show in Vijay Television titled "Cooku with Comali", where the said Madhampatty Rangaraj was a leading judge/chef in the said programme. She had developed acquaintance with Madhampatty Rangaraj from 01.08.2023 to 30.08.2023. The

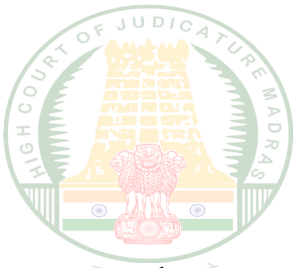


O.A. No.904 of 2025

WEB COPY

learned senior counsel further contended that the first defendant was the Costume Designer to the said Madhampatty Rangaraj and thereafter, they developed a love affair and due to the love affair, the first defendant got conceived and aborted thrice at the instance of the said Madhampatty Rangaraj. When the said Director insisted for abortion for the fourth time, the first defendant resisted and requested the said Director to marry her and thereafter, the marriage has been solemnised between them.

7. In the detailed common counter filed by the first defendant, in paragraph 7, she had specifically asserted that on 24.12.2023 in the presence of Madhampatty Rangaraj's friends and the company staff, Madhampatty Rangaraj and the first defendant got married at Thiruveedhi Amman Temple situated at M.R.C. Nagar, Chennai and following their marriage as per Hindu rites and customs, they started living as husband and wife. It is her further contention that after the said marriage, Madhampatty Rangaraj took the first defendant to an international trip to Singapore to celebrate the special occasion of their life. She further stated that due to their intimacy, she became pregnant and when she informed the same to Madhampatty Rangaraj, he blackmailed her and forced

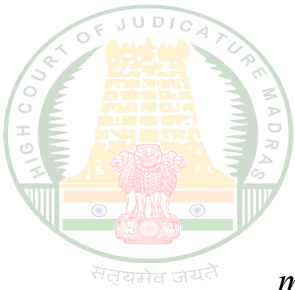


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her to abort the pregnancy, however, due to her love towards him, she underwent the turmoil and mental agony of abortion.

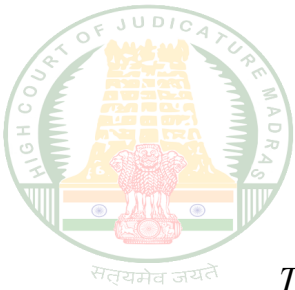
8. It is her further contention in paragraph 10 of the counter that in the month of April, 2025, she again became pregnant and the said Madhampatty Rangaraj started assaulting her physically and shouted at her stating that she should not give birth to the child, which created a huge suspicion in her mind. Later, due to the mental and physical torture met by the first defendant, she preferred a complaint with the Commissioner of Police on 29.08.2025 and the same has been referred to various police stations on the ground of jurisdiction. It is relevant to note the contention of the first defendant in paragraph Nos.20 and 23 of the common counter affidavit, which are extracted hereunder:

"20. I most respectfully submit that, the aforesaid averment of the applicant/plaintiff at paragraph-10 of the plaint categorically demonstrates that the present lis is not filed for the interest of the company, but to safeguard the image of Mr.Madhampatty Rangaraj and the present case itself is filed in the disguise of the company. Even on bare perusal of the entire plaint and the affidavits, the applicant/plaintiff has not made any averment that I have



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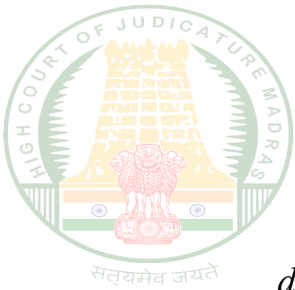
made any remark or assertions against the company or its name. It is even the case of the company that, certain statements are made against one of its directors. In such circumstances, the present suit itself is not maintainable for the obvious reasons that firstly, I have not made any comment or any disparaging remark against the applicant/plaintiff company, however, I have simply tagged the "Madhampatty Pakashala" in few instagram posts, where I have shared my marriage photo with the said Madhampatty Rangaraj, secondly, I have not made any remarks against the commercial activity of the company degrading the goodwill of the company, further, me voicing out against the injustice met by me at the hands of the said Madhampatty Rangaraj, who is one of the directors of the Madhampatty Pakashala does not have any connection with the goodwill, reputation and the commercial activities of the company, thirdly, I have been victimized and cheated by the said Madhampatty Rangaraj and I am voicing out for justice for my unborn child through all means possible and in that circumstances, it becomes necessary that I identify the said person and the said Madhampatty Rangaraj's identity is that he is a chef and one of the directors of the company namely Madhampatty Pakashala, and that being the circumstances, I had identified him in the said post by hashtagging the name of the company.



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This post and this activity done by me cannot be termed as disparaging the applicant/plaintiff company's Trademark.

23. I most humbly submit that, the present issue is not a question of me disparaging the goodwill of the company, to constitute disparagement, the applicant/plaintiff must satisfy the elements that one, the statement made by me is false and defamatory, two, the statement was published to the third party with an intent of attacking the goodwill of the company, three, the applicant/plaintiff's business must have suffered an actual damage as a result of my content and four, such statement made by me was made with actual malice or reckless disregard for truth. Without satisfying these elements, the applicant/plaintiff cannot claim that I have disparaged the applicant/plaintiff's company and its unregistered trademark. In the present case, the applicant/plaintiff company has not prima facie produced any material to substantiate the fact that I have disparaged the company, in fact, the actual truth is that I have not made any statement about the company and even the instagram post relied by the applicant/plaintiff as a document No.14 is a mere a instagram status where I have tagged the said Madhampatty Rangaraj with image of the company's name and the same was uploaded on 13.09.2024 nearly a year ago. Even in the said post there is no material or statement or content which amounts to causing



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disparagement of the Trademark of the company. Moreover, it is shocking that the applicant/plaintiff company had waited for nearly a year and has suddenly come up with a case that their trademark is being disparaged and defamed after the police complaint lodged by me. It is pertinent to note that, even from the action of the applicant/plaintiff company, it is factually clear that I had been cheated by the said Madhampatty Rangaraj and I have been pulled into a relationship by him through malafide means by deceiving me through his false promises that he had been judicially separated from his first wife."

9. The learned senior counsel further contended that neither in her statements nor in the interviews given by her to the Press and in the social media which had been uploaded on the instagram and youtube, she had uttered anything about the plaintiff company and she has only spoken about the individual i.e. Madhampatty Rangaraj and their relationship. She had not stated anything ill about the plaintiff company. She had asserted that since Madhampatty Rangaraj is one of the Directors of plaintiff company, she has hashtagged the company name in her interviews in order to identify the said Madhampatty Rangaraj. To establish her contention, the first respondent



O.A. No.904 of 2025

WEB COPY

herein/first defendant has filed typed set of papers. The first document is a lease agreement dated 27.02.2024 entered between one Mrs.Anandhi Lakshmanan, namely the lessor and M/s.Madhampatty Thangavelu Hospitality Private Limited, represented by its authorised signatory Mr.T.Rangaraj, namely the lessee, where a property in Thiruvannamiyur was taken out for lease. Medical prescriptions issued by Cloudnine Hospitals dated 12.09.2024, Kauvery Hospital and MGM Healthcare showing medical report of pregnancy are enclosed in the typedset of papers. The other photographs which finds place in the typedset are scanned photographs of the foetus. Page Nos.58 to 110 are various photographs of the first respondent and the said Madhampatty Rangaraj, appeared in social media and other platforms. In support of his claim, the learned senior counsel had relied upon the following judgments:

i) Tata Sons Limited vs. Greenpeace International

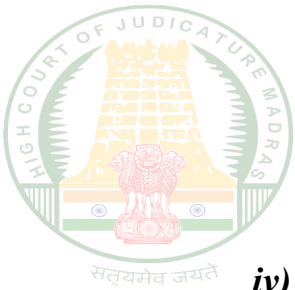
reported in (2011) SCC OnLine Del 466;

ii) Mr.Vuppala Manga Raju v. V.S.T.Industries Ltd

in Criminal Petition No.11872 of 2016;

iii) Royal Challengers Sports v. Uber India Systems

in C.S.(COMM) 345/2025; and

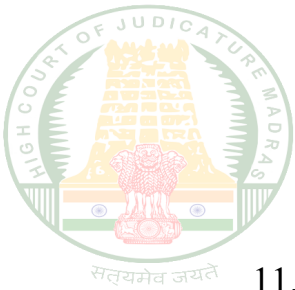


O.A. No.904 of 2025

WEB COPY

iv) ***Bloomberg Television Production Services India v. Zee Entertainment Enterprises Limited*** reported in ***(2025) 1 SCC 741***.

10. In the absence of any averment in the plaint and the affidavit, the plaintiff has sought for an interim injunction, merely on the basis of list of cancelled orders filed by the plaintiff. As per the lease agreement filed by the first defendant, the lease period was for 22 months and the lessee agreed to pay a sum of Rs.1,45,000/- per month as rent excluding maintenance. While considering the lease agreement, it is noted that at page No.9, the contact details of the lessor, lessee and one of their immediate family members are given. The lessor's name is found as Anandhi Lakshmanan and the lessee's name is found as Rangaraj Thangavel. In the space given for the name of immediate family member of the tenant, the name Joy Johnson is found, wherein the relationship to tenant is mentioned as wife.



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11. The point for consideration in this application is, *whether the interviews given by the first respondent herein/first defeyndant and the contents uploaded by the first respondent about her relationship with an individual person by hashtagging the name of the plaintiff company will casue irreparable loss to the plaintiff?*

12. Before going into the facts and circumstances of the case, let us examine the meaning of 'disparagement'. Generally, disparagement means, *'the representation of someone or something as being of little worth; disrespectful criticism or belittlement'*. In Cambridge Dictionary, the meaning of disparagement is *'criticism of, or unkind remarks about someone or something that show you do not respect them'*. In Collins Dictionary, disparagement means *"the act of speaking about someone or something in a way which shows that you do not have a good opinion of them"*. In Meriam-Webster's, disparagement means *'the act of making a person or a thing seem little or unimportant'*.

13. Let us also examine the dictionary meaning of the word 'hastag' and for what purpose the symbol '#' is used in social media. As per Oxford

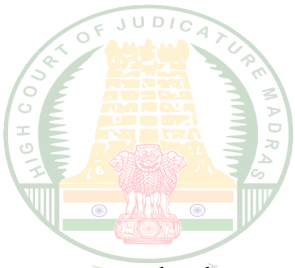


O.A. No.904 of 2025

WEB COPY

dictionary, as a noun, it refers to the use of the hash symbol (#) in front of a word or phrase in social media sites such as Twitter, to identify and group messages on a specific topic. Hashtag is added to a digital content to identify it as concerning a specific topic. As per webster dictionary, a word or phrase preceded by the symbol # that classifies or categorises the accompanying text. The meaning and usage of # given in various search engine and dictionaries would only show that # is used with a word only to identify the contents on the same topic and to get similar contents. In this context, let us examine the averments in the plaint with regard to usage of hashtags by the 1st defendant and its impact on revenue loss sustained by the plaintiff.

14. Though an injunction is sought in this application with a contention that the hashtags used by the first defendant in her videos against one of the directors resulted in revenue loss to the plaintiff and their reputation had gone down, neither in the plaint nor in the application, the plaintiff has stated that the interviews given by the first defendant, which were telecast on instagram, youtube, twitter or any other social media platform, has resulted in cancellation of several catering orders received by the plaintiff. In the plaint, the plaintiff



O.A. No.904 of 2025

WEB COPY

had stated that disparaging statements have been made by the first respondent herein in the social media such as Twitter, Instagram, You Tube etc. however, no specific allegation was made in the plaint.

15. That apart, there is no averment with regard to how the catering orders were made, who booked the orders for the events and how it was cancelled, what was the principal amount, etc. There is no details either in the affidavit filed with the application or in the plaint relating to the communication between the plaintiff and their customers who cancelled the orders. From a reading of the plaint, it is clear that the first defendant has not stated anything about the plaintiff and the plaintiff has also not pleaded anything in the plaint by adducing sufficient materials to establish that there is revenue loss to the plaintiff because of the statements and interviews given by the first defendant.

16. The plaintiff has not made out a case to establish that disparaging statements made by the first defendant against the said Madhampatty Rangaraj before various social media platforms has caused revenue loss to the plaintiff company. The additional typed set dated 22.09.2025 only shows a typed

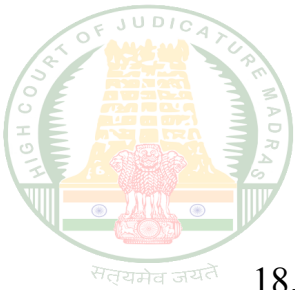


O.A. No.904 of 2025

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statement in the letter head of the plaintiff's company stating the event date, venue, order cancellation date, projected revenue, event status etc. There is no pleading and detail as to who had booked, why it was cancelled, what was the advance amount paid to the plaintiff and subsequent to the cancellation, what was the amount returned to the party who booked the catering service, etc.

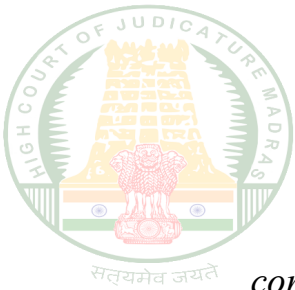
17. In the absence of any vital details and particulars, the relief sought by the plaintiff cannot be granted. Assuming for a moment that these allegations are true, the same are not supported by any document. It is evident that the plaintiff has not averred anything about the first defendant and had only pleaded that the acts of the first defendant are defamatory, that it is a disparagement suit and there is loss of revenue as the first defendant hashtagged plaintiff's name in the videos uploaded by her and has given interviews about her relationship with one of the directors of the plaintiff's company, namely Madhampatty Rangaraj.



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18. In the case of ***Tata Sons Limited vs. Greenpeace International*** reported in ***(2011) SCC OnLine Del 466***, the Delhi High Court in paragraph Nos.42 & 43 has observed as follows:

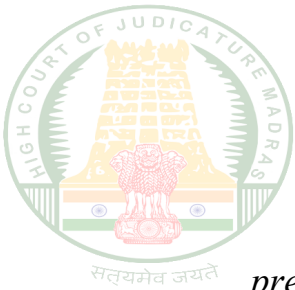
"42. The above analysis would show that the use of a trademark, as the object of a critical comment, or even attack, does not necessarily result in infringement. Sometimes the same mark may be used, as in Esso; sometimes it may be a parody (like in Laugh it Off and Louis Vuitton). If the user's intention is to focus on some activity of the trademark owners, and is "denominative", drawing attention of the reader or viewer to the activity, such use can prima facie constitute "due cause" under Section 29(4), which would disentitle the plaintiff to a temporary injunction, as in this case. The use of TATA, and the 'T' device or logo, is clearly denominative. Similarly, describing the Tatas as having demonic attributes is hyperbolic and parodic. Through the medium of the game, the defendants seek to convey their concern and criticism of the project and its perceived impact on the turtles habitat. The Court cannot annoint itself as a literary critic, to judge the efficacy of use of such medium, nor can it don the robes of a censor. It merely patrols the boundaries of free speech, and in exceptional cases, issues injunctions by applying Bonnard principle. So far as the argument by the plaintiff that it is being "targeted" is



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concerned the Court notes that the defendants submit that the major gains through the port accrue to the Tatas.

43. In conclusion the Court notes that the rule in Bonnard is as applicable in regulating grant of injunctions in claims against defamation, as it was when the judgment was rendered more than a century ago. This is because the Courts, the world over, have set a great value to free speech and its salutary catalyzing effect on public debate and discussion on issues that concern people at large. The issue, which the defendant's game seeks to address, is also one of public concern. The Court cannot also sit in value judgment over the medium (of expression) chosen by the defendant since in a democracy, speech can include forms such as caricature, lampoon, mime parody and other manifestations of wit. The defendant may - or may not be able to establish that there is underlying truth in the criticism of the Dhamra Port Project, and the plaintiff's involvement in it. Yet, at this stage, the materials on record do not reveal that the only exception - a libel based on falsehood, which cannot be proven otherwise during the trial - applies in this case. Therefore, the Court is of opinion that granting an injunction would freeze the entire public debate on the effect of the port project on the Olive Ridley turtles' habitat. That, plainly would not be in public interest; it would most certainly be contrary to established principles. To recall the words of Walter Lippman "The theory of the free press is not that the truth will be



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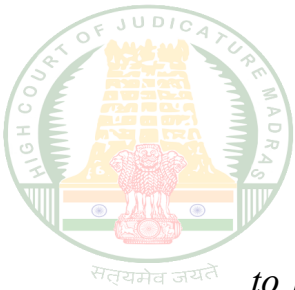
presented completely or perfectly in any one instance, but that the truth will emerge from free discussion” For these reasons, the Court is of opinion that the application for interim injunction, i.e. IA No. 9089/2010 has to fail. It is accordingly, dismissed."

The above case is related to publication of statements about a port project and the same is not relevant to the case on hand.

19. In ***Royal Challengers Sports v. Uber India Systems in C.S.(COMM) 345/2025***, it was held in paragraph No.34 & 40 as follows:

Disparagement

34. Theoretically, disparagement as per the Black's Law Dictionary is “...a false and injurious statement that discredits or detracts from the reputation of another's property, products or business.” and as per the Merriam Webster Legal Dictionary it is “...the publication of false injurious statements that are derogatory of another's property, business or product” and as per the Oxford English Dictionary is an act which “casts another in a bad light or undervalues their reputation”. In fact, as per Chapter 19: Trade Libel and Threats of Kerly's Law of Trade Marks and Trade Names¹¹, to maintain such an action, the statement made must “...specifically denigrate the claimant and must be intended



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to be taken seriously, and must contain specific false comparison and must not be mere general praise of the defendant's goods.

40. As per above, disparagement has to be of such a nature which is conveying or seems to convey something negative attributable on the face of it. Tersely put, disparagement per se has to have an element of demeaning/criticism/condemning/ridiculing/denigrating/defaming/disgracing/belittling/scorning/mocking/falsity with a view to cause injury and/or harm. Therefore, at a prima facie level for seeking the relief(s) of temporary injunction, the plaintiff is at least required to show/establish the presence of the aforesaid element(s) of disparagement in the impugned advertisement.”

Relying upon the above judgment, it was argued that to seek temporary injunction, the plaintiff is required to show the presence of certain elements in the disparaging statements such as criticism, mockery, falsity, etc., with a view to cause injury. This judgment relied upon by the first defendant is squarely applicable to the present case.

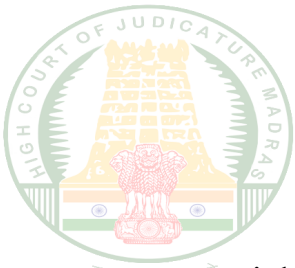


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20. In ***Bloomberg Television Production Services India v. Zee Entertainment Enterprises Limited*** reported in (2025) 1 SCC 741, the Hon'ble Supreme Court in paragraph No.9, held as under:

"9. Increasingly, across various jurisdictions, the concept of "SLAPP suits" has been recognised either by statute or by courts. The term "SLAPP" stands for "Strategic Litigation against Public Participation" and is an umbrella term used to refer to litigation predominantly initiated by entities that wield immense economic power against members of the media or civil society, to prevent the public from knowing about or participating in important affairs in the public interest [Donson, F.J.L., Legal Intimidation : A SLAPP in the Face of Democracy (London, New York : Free Association Books, 2000).] . We must be cognizant of the realities of prolonged trials. The grant of an interim injunction, before the trial commences, often acts as a "death sentence" to the material sought to be published, well before the allegations have been proven. While granting ad interim injunctions in defamation suits, the potential of using prolonged litigation to prevent free speech and public participation must also be kept in mind by courts. "

By placing reliance upon the above judgment, the learned senior counsel contended that while granting ad-interim injunction in defamation suits, the



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potential of using prolonged litigation to prevent free speech must also be kept in mind by the courts.

21. In ***Criminal Petition No.11872 of 2016*** between ***Vuppala Manga Raju vs. V.S.T. Industries Ltd. and others dated 22.11.2023***, the High Court of Telangana at Hyderabad had observed in paragraph Nos.9 to 12 as under:

"9. It is alleged that the said persons have indulged in scams by colluding with some distributors. The petitioner has stated that he was cheated by the Regional Manager and Chief Manager by entering into a conspiracy and ensured that his distributorship was cancelled.

10. It amounts to defamation when a person either by words spoken or intended to be read, publishes any imputation concerning such person, knowing that such imputation will harm his reputation.

11. The grievance of the petitioner is that the Regional Manager-Pavan Kumar and Chief Manager-Sujith Kumar were responsible for termination of his being distributorship and they were involved in acts causing loss to the company. In fact, in the communication, the petitioner stated that the company is a prestigious company.

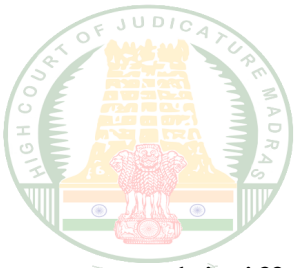


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12. *Specifically making aspersions against individuals in a company and accusing such persons who are incharge of the affairs of the company for conducting themselves resulting in loss to the company, will not amount to any kind of insinuation against the company itself. The communication is specifically directed towards the Regional Manager-Mr.Pavan Kumar Reddy and Chief Manager-Sujit Kumar of the company. In the said circumstances, it cannot be said that the company has been defamed. The grievance if any would be in the personal capacity of the said persons namely Mr.Pavan Kumar Reddy-Regional Manager and Mr.Sujit Kumar-Chief Manager.*

22. In the above case, the Telangana High Court has categorically held that the apprehension against the individuals in the company and statements against the persons who are in-charge of the affairs of the company will not amount to any kind of insinuation against the company itself. This assumes significance in respect of the case on hand.

23. The plaintiff has not prima facie established that the first defendant has given statements and uploaded videos by hashtagging the name of the



O.A. No.904 of 2025

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plaintiff with a view to cause injury to the business of the plaintiff and that the plaintiff sustained revenue loss, as a result of the statements given against one of the directors of the plaintiff. Therefore, to reach any conclusion, appropriate pleadings and documents in support thereof, has to be examined and decided during the trial. When the plaintiff has not established a case for temporary injunction, the same cannot be entertained.

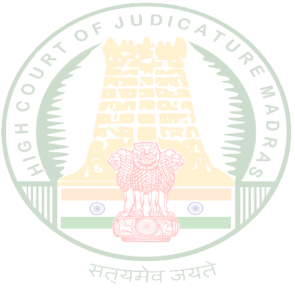
24. For the foregoing reasons, this application is dismissed. However, there is no order as to costs.

25.11.2025

Asr

Index : Yes/No

Neutral Citation : Yes/No



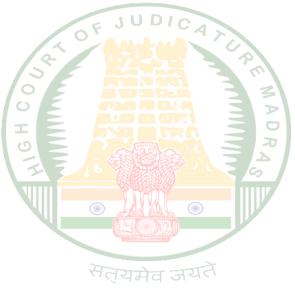
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O.A. No.904 of 2025

N.SENTHILKUMAR, J.
Asr

O.A. No.904 of 2025 in
C.S. (Comm. Div.) No.231 of 2025



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O.A. No.904 of 2025

Dated : 25.11.2025