



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-11-2025

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THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

OA No. 1091 of 2025

in

C.S.(Comm.Div.) No.295 of 2025

1. Dr.Ilaiyaraaja
New No. 2C, Old No. 38, Murugesan
Street, T.Nagar, Chennai

Applicant(s)

Vs

1. John Doe Ashok Kumar and 13
others
NIL

Respondent(s)

PRAYER

To grant interim injunction restraining the respondents/defendants, their principal officers, servants, agents, affiliates subsidiaries, distributors and all others acting for and on their behalf and any other person or entity from infringing the Applicant/Plaintiff's Publicity / Personality Rights by utilizing and / or in any manner directly and / or indirectly, exploiting or misappropriating various attributes of the Applicant/Plaintiff's persona including Applicant/plaintiff s

a) name 'Ilaiyaraaja' (in any combination that has similar pronunciation) and /



or 'Isaignani';

b) image;

c) Photographs

d) comical or animated image of Ilayaraja

e) voice and

f) any other attribute which is identifiable with him for any commercial and / or personal gain and / or otherwise by exploiting them in any manner whatsoever without the previous consent and / or authorisation, as also from false endorsement, including in all formats and mediums (digital or otherwise), except with the express consent of the Applicant/Plaintiff, pending disposal of the suit.

For Applicant(s): Mr.Prabakaran, Senior Counsel
for M/S.Thyagarajan K
A.Saravanan
S.Magimairaj
Mob-9444306847

For R3: Mr.Abhishek Malhotra, Senior
Counsel for M/s.A.R.Pradeep

For R4: Mr.Diwagar

For R5: Mr.M.Narendran for
M/s.King & Partridge

For R7: Ms.S.Gayathri for Mr.Swaroop

For R8: Mr.Rahul Balaji

For R9 : Mr.K.Harishankar

For R11: Mr.T.Saikrishnan

For R14: Ms.Aparajitha Vishwanath

ORDER

The present suit is filed for the following reliefs:-



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- "a) Permanent injunction restraining the Defendants, their principal officers, servants, agents, affiliates, subsidiaries, distributors and all others acting for and on their behalf and any other person or entity from infringing the Plaintiff's Publicity /Personality Rights by utilizing and/or in any manner directly and/or indirectly, exploiting or misappropriating various attributes of the Plaintiff's persona including Plaintiff's (a) name 'Ilaiyaraaja' (in any combination that has similar pronunciation) and or 'Isaignani'; (b) image; (c) Photographs (d) comical or animated image of Ilayaraja (e) voice and (f) any other attribute which is identifiable with him for any commercial and/or personal gain and/or otherwise by exploiting them in any manner whatsoever without the previous consent and/or authorization, as also from false endorsement, including in all formats and mediums (digital or otherwise), except with the express consent of the plaintiff,
- b) Permanent injunction restraining the defendants their principal officers, servants, agents, affiliates, subsidiaries, distributors and



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all others acting for and on their behalf and any other person or entity from publishing, broadcasting, or otherwise disseminating information or content related to the Plaintiff in a manner that misrepresents, distorts, or fabricates details about the Plaintiff's life, personality, or professional engagements, plaintiff's association with any other personality (in digital platforms or otherwise);

c) Directing the Defendants to render accounts of profits made by use of the Plaintiff's persona, image, music, voice, his name, nick name and any other attribute which is identifiable with him;

d) Mandatory injunction directing the Defendants to remove the contents published by them or on their behalf, containing the Plaintiff's persona including Plaintiff's (a) name 'Ilaiyaraaja' (in any combination that has similar pronunciation) and or 'Isaignani"; (b) image; (c) Photographs (d) comical or animated image of Ilayaraja (e) voice and (f) any other attribute which is identifiable with him for any commercial and/or personal gain;"



2. Mr.S.Prabakaran, learned Senior Counsel appearing for the plaintiff

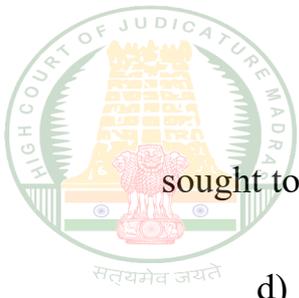
made the following submissions:-

a) The plaintiff's creative scope encompasses the roles of composer, conductor, arranger, orchestrator and lyricist, in addition to serving as a vocalist.

The plaintiff is widely regarded both within India and internationally as a legend and a creative genius. His career is marked by numerous records that are acknowledged as unsurpassed in breadth and influence that are impeccable and unparalleled. He has composed more than 8500 songs and the only composer globally to have scored music for more than 1450 feature films in nine languages and has written lyrics for 1500 songs.

b) In a poll conducted by CNN in 2013, the plaintiff was voted as the All- Time Greatest Film-Music Director of India and recognised as by prominent American World Cinema Portal "Taste of Cinema" in 2014 and he stands in the ninth position on its list of 25 greatest composers in the country.

c) The plaintiff has distinctive titles "Isaignani" and "Maestro" constituting a unique and compelling personality, rendering his name, image, voice and creative signature as assets closely woven with the rights



sought to be protected.

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d) The plaintiff is known to be highly knowledgeable for Indian and western classical music, traditions and employs a distinctive approach to composition.

e) The plaintiff is the composer, author and absolute right holder for his musical work under Section 2(d)(ii) of the Copyright Act, 1957 and as per Section 2(d)(v) of the Copyright Act, 1957.

f) The suit is for protecting his personal rights which cannot be misused or tarnished by using his photographs, name by any persons who are arrayed as defendants. The plaintiff claims recognition of his personality rights and seeks to protect the same with regard to his name, voice, unique style of musical performance, songs or musical works, image/photograph/likeness, other nicknames like 'Isaignani', 'Ilaiyaraaja', 'Music Maestro', 'Raaga Devan' or 'Raja' or 'Raja sir'.

g) The infringement of the Plaintiff's Personality Rights by the defendants herein are taking place mainly in electronic, digital media via internet transmissions. The defendants/YouTube Channels and Mobile Music



Streaming Apps and TV channels have been found using the plaintiff's name and image unauthorizedly for pure commercial purposes.

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h) Following are few of the examples to demonstrate how the Plaintiff Dr.Ilaiyaraaj's identity, name, image, and work are being exploited deliberately disregarding the celebrity's personality rights, on digital platforms, to gain traction and generate revenue without authorization. The extensive unauthorized use of Dr.Ilaiyaraaja's name, image, and music across YouTube, Instagram, Facebook, Twitter, and independent websites amounts to systematic exploitation of personality rights through compilation channels, thematic video collections, reels, fan pages, and hashtag trends. Revenue is derived from advertising, subscriptions, sponsorships, affiliate marketing, and merchandise sales. In each instance, the Plaintiff Dr.Ilaiyaraaja's name, image, voice, and creative works serve as the primary commercial asset, exploited without authorization, consent, or compensation to him, and warrants this court's intervention.

i) The plaintiff is the author of the copyright works and thus, as protected under Sections 38, 38A and 38B of the Copyright Act, 1957, the right to claim



authorship of his performance (right to attribution) is with the plaintiff.

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3. The plaintiff has furnished an additional typed set of papers filed dated 21.11.2025, which depicts that his photographs are being morphed giving a wrong impression to the viewers tarnishing his personality and his photographs are being used by the defendants, which are within the exclusive right of the plaintiff. The typed set of papers, which runs upto 17 pages, also shows as if the photographs of the plaintiff are being used by the defendants. According to the plaintiff, such photographs are being used without his exclusive permission and such usage is not an authorised one.

4. The learned Senior Counsel, in support of his contentions with regard to personality right, relied on the judgments of Delhi High Court in C.S.(OS) No.2662 of 2011 (*Titan Industries Ltd vs. M/s.Ramkumar Jewellers*). The relevant portion of the decision relied on by the learned Senior Counsel is extracted hereunder for ready reference:-

"II. "Publicity right" of a Celebrity

A celebrity is defined as a famous or a well-known person. A "celebrity" is merely a person who "many" people



talk about or know about.

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When the identity of a famous personality is used in advertising without their permission, the complaint is not that no one should not commercialize their identity but that the right to control when, where and how their identity is used should vest with the famous personality. The right to control commercial use of human identity is the right to publicity."

5. The learned Senior Counsel for the plaintiff has further relied on the another decision of the Delhi High Court is C.S.(Comm) 1233 of 2025 (**Raj Shamani & another vs. John Doe/AshokKumar & others**), wherein it has been held as under:-

"29. In this suit the Plaintiff No. 1 has joined its causes of action vis-à-vis the plea of unauthorised use of his personality rights such as his name and image by the third-parties for generating unauthorized revenue, gain undue commercial benefit, by showing fake endorsements and affiliation with the Plaintiff No. 1 on their websites and platforms. The Plaintiff



No. 1 has also sought action against third-parties, which impersonate the Plaintiff No. 1 on social media platforms by using his name and image leading consumers to believe that these are accounts and handles which are associated with the said Plaintiff. The Plaintiff seeks action against third-parties which by using artificial intelligence to create fabricated/deepfake/morphed/distasteful content, use Plaintiff No. 1's personal attributes to generate reels and videos which are misleading and contain false information. The Plaintiff also seek action against use of his name, voice and likeness by bots on social media platforms.

.....

32. On the basis of the assertions made in the plaint and perusal of documents filed on record, this Court is of the prima facie view that the Plaintiff is a known face in India, especially in the field of content creation who has gained goodwill and reputation over a course of a successful career.



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The Plaintiff has also placed on record the commercial endorsements held by it from brands including ASUS. The Plaintiff has also placed on record the awards received by it in recognition of his standing at paragraph 24 of the Plaint.

The actions of the infringing Defendants which use the Plaintiff's name and image to represent association and endorsement of their products and services also lends credence to the Plaintiff No. 1's submissions that he has publicity rights. In these facts, it prima facie appears to this Court that Plaintiff No. 1 enjoys publicity rights with respect to its personality which is a valuable right for the Plaintiff.

33. Therefore, prima facie, the Plaintiff No. 1's personality traits and/or parts thereof, including the Plaintiff's name, likeness, voice, image are protectable elements of the Plaintiff's personality rights. The Plaintiff No. 1 is entitled to seek injunction against the use of his personality rights by third parties for their commercial gains without his



authorisation."

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6. Further reliance was placed by the learned Senior Counsel for the plaintiff on the decision of this court reported in MANU/TN0189/2025 (**Shivaji Rao Gaikwad vs. Varsha Productions**) wherein at para 21, it has been held as under:-

"21.I find that though there is no definition for the personality right under any statute in India, as contended by the learned Senior Counsel appearing for the plaintiff, the Courts in India have recognized the personality right in the name, in various judgments. In this regard, reliance could be placed in some of the judgments.

In ICC Development (International) Ltd., Vs. Arvee Enterprises and another 2003 (26) PTC 245 it has been held as follows_

"The right of publicity has evolved from the right of privacy and can inhere only in an individual or in any indicia of an individual's personality like his name,



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personality trait, signature, voice, etc., An individual may acquire the right of publicity by virtue of his association with an event, sport, movie, etc. However, that right does not inhere in the event in question, that made the individual famous, nor in the corporation that has brought about the organization of the event. Any effort to take away the right of publicity from the individuals, to the organiser (non-human entity) of the event would be violative of [Articles 19](#) and [21](#) of the Constitution of India. No persona can be monopolised. The right of Publicity vests in an individual and he alone is entitled to profit from it. For example if any entity, was to use Kapil Dev or Sachin Tendulkar's name/persona/indicia in connection with the 'World Cup' without their authorization, they would have a valid and enforceable cause of action."

In [Titan Industries Ltd Vs. Ramkumar Jewellers](#) MANU-



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DE/2902/2012, it has been observed as follows_

"No one was free to trade on another's name or appearance and claim immunity.

...

Validity : The plaintiff owns an enforceable right in the identity or persona of a human being.

Identifiability : The Celebrity must be identifiable from defendant's unauthorized use. Infringement of right of publicity requires no proof of falsity, confusion, or deception, especially when the celebrity is identifiable.

The right of publicity extends beyond the traditional limits of false advertising laws.

From a reading of the above said judgments, I am of the opinion that the personality right vests on those persons, who have attained the status of celebrity. In fact, in the present case, it has been categorically admitted by the defendant himself in the counter affidavit that the plaintiff is



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a well acclaimed actor with high reputation and he is a doyen of the film industry in India. Therefore, the defendant now cannot say that the name 'Rajinikanth' is a common name and as such it does not refer to the plaintiff alone. A celebrity must be identifiable from defendant's unauthorized use. Infringement of right of publicity requires no proof of falsity, confusion, or deception, especially when the celebrity is identifiable."

7. In the case on hand, the plaintiff has demonstrated before this court through his pleadings and typed set of papers that his personality rights have to be protected with regard to his name and images/photographs comical or animated image, voice or any other attribute which is identifiable with him for any commercial and / or personal gain and / or otherwise by exploiting them in any manner whatsoever without the previous consent and / or authorisation, as also from false endorsement, including in all formats and mediums (digital or otherwise), except with the express consent of the Applicant/Plaintiff, pending disposal of the suit.



8. Since the plaintiff has made out a prima facie case that his name, image, works, etc., are exploited and monetized on daily basis, he is entitled to the relief of injunction sought for in this Application, such a relief is granted till 19.12.2025. Issue notice to the respondents returnable by then. Private notice is also permitted. Order 39 Rule 3 shall be complied with by the plaintiff. Post on 19.12.2025.

8. At this stage, learned counsel appearing for the fourth respondent submits that sofar as the fourth respondent is concerned, a wrong address has been furnished and he would share the correct address of the fourth respondent to the plaintiff to make necessary correction.

9. Therefore, notice may be given to the correct address of the fourth respondent, which would be shared by the learned counsel for the fourth respondent with the learned counsel for the plaintiff.

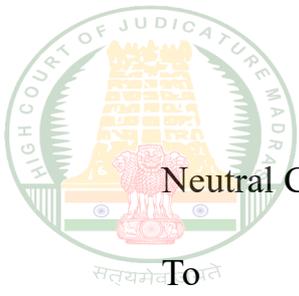
21-11-2025

ssk.

Index: Yes

Speaking order

Internet: Yes



Neutral Citation: Yes

To

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1. John Doe Ashok Kumar and 13 others
NIL

2. Amazon.in Represented by its ^s
Managing Director
Plot No. 40, S P Infocity, 3rd Floor,
MGR Salai, Veeranam Road,
Perungudi, Chennai-600096

3. Saavn Media Ltd Represented by its
Managing Director
8th Floor, Innov8 by OYO, 1181, 1182,
Solitaire Corporate Park, Cardinal
Gracious Road, Mumbai,
Maharashtra-400093

4. Youtube(Google LLC) Represented
by its Managing Director
Signature Towers III, Tower B SIGD,
Silokhera, Sector-15, Part 2, Gurugram,
Haryana-122002, India

5. Gaana.Com
Entertainment Network India Ltd
Represented by its Managing Director
FC-6, Film City, Sector 16A, Noida,
Uttar Pradesh-201301, India

6. Apple Music Co INC Represented by
its Managing Director
13th Floor, Prestige Minsk Square,
Municipal No. 6, Cubbon Road,



Bengaluru-560001, Karnataka

7.Five Star Audio

Represented by its Partner

Mr.Kalyana Sundaram

No. 3/66, 7th Street, Sree Sayee Nagar,
Virugambakkam, Chennai-600092

8.Sun TV Network Limited Corporate

Office Represented by its

Vice President Programming

Murasoli Maran Towers,

73, MRC Nagar Main Road,

MRC Nagar, Chennai-600028,

Tamilnadu, India

9.Music Master Audio Video LLP

Represented by its Designated Partner

Mr Ganshyam Hemdev

No. 5/3, Muktha Garden, Spurtank
Road, Chetpet, Chennai-600031

10.Star Vijay TV Channel Represented
by its Channel Head

25A, South Phase, Ambedkar Nagar,

SIDCO Industrial Estate, Guindy,

Chennai-600032, Tamilnadu

11.Indian Record Manufacturing Co

Ltd Represented by its

Managing Director

TNK House 4th Floor,

No 48 Mount Road, Chennai-600002

12.Zee Entertainment Enterprises

Limited Represented by its Managing



Director

Olympia Platina, No. 33b, 2nd Floor,
Sidco Industrial Estate, Guindy,
Chennai-600032

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13. Meta Platforms Inc Represented by
its Managing Director
DLF ATRIA, Gulmohar Marg,
DLF Phase 2, Sector 25, Gurugram,
Haryana-122002

14. Sony Music Entertainment India
Private Ltd Represented by its
Managing Director
2nd Floor, First International Financial
Centre, Bandra Kurla Complex Road,
Mumbai, Mumbai Suburban,
Maharashtra-400098



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