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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 13-07-2026**

CORAM

**THE HON'BLE MR.JUSTICE K.KUMARESH BABU**

**C.S(COMM DIV) No. 118 of 2026**

**and**

**O.A.Nos.363 & 364 of 2026**

**and**

**A.No.1958 of 2026**

1. Vasan Publications Private Limited  
Rep.by its Authorised Signatory  
Mr.B.Srinivasan,  
757, Anna Salai, Chennai- 600 002
2. Ananda Vikatan Publishers Private Limited  
Rep.by its Authorised Signatory  
Mr.B.Srinivasan,  
757, Anna Salai, Chennai- 600 002

..Plaintiffs

Vs

Mr.S.Thirumuthalvi

..Respondent

Plaint filed under Order IV Rule 1 of Original Side Rules read with Order VII Rule 1 C.P.C., read with Sections 27, 28, 29, 134 & 135 of the Trademarks Act, 1999, prays this Hon'ble Court may be pleased to grant a judgment and decree on the following terms:

a) A permanent injunction restraining the defendant, all his principal officers, staff, men, agent, servants, successors, assigns in business, representatives and any other persons from infringing the trade mark by using the mark "UDAGA VIKATAN", or any other word/ words/ device that are identical or deceptively similar to the said registered trade mark, "VIKATAN" & its Variants of the plaintiffs and thereby restraining them from claiming any



right through or under Defendant from in any manner infringing the registered trade marks by using trade mark “VIKATAN and its variants.”

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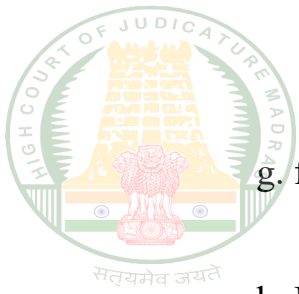
b. A permanent injunction restraining the Defendant, all his principal officers, staff, men, agent, servants, successors, assigns in business, representatives and any other person from passing off his/their services by using the impugned trademark “UDAGA VIKATAN” which is deceptively similar as registered trade mark, “VIKATAN” & its variants of the Plaintiffs, or any other word/words/logo/artistic work/design/device that are identical or deceptively similar to the said registered trademark of the plaintiffs and thereby restraining the Defendant in any manner from passing off.

c. To declare the Plaintiffs’ trademark “VIKATAN” as a well-known trademark.

d. That the Defendant be ordered and directed to pay to plaintiffs a sum of Rs.5,00,000 (Five Lakhs only) by way of damages.

e. A Preliminary Decree be passed in favour of the Plaintiffs directing the Defendant to render a true and faithful accounts of all profit made by them, using the Plaintiffs said Trademark and a final decree be passed in favour of the Plaintiffs for the amount of profit thus found to have been made by the Defendant, together with interest, after the Defendant has rendered accounts.

f. That the Defendant be directed to deliver-up to the Plaintiffs’ for destruction, all labels, all other print materials, stickers, signage, visiting cards, letter heads, catalogues, pamphlets, brochures, all other advertising, and promotional material, all stationary, and such other material used for infringing and violating plaintiff’s trade mark.



g. for the costs of the suit; and

h. Pass such other or further orders as this Hon'ble Court deems fit, in the interest of justice and equity.

|                    |                     |
|--------------------|---------------------|
| For Petitioner(s): | Mr.Ramesh Ganapathy |
| For Respondent(s): | Mr.S. Aravind Raj   |

### **JUDGMENT**

A Memo of Undertaking has been filed by the sole defendant, acknowledging the Trade Mark of the plaintiff, apart from undertaking not to infringe the trademark of the plaintiff.

2. In view of the said undertaking given by the sole defendant, no further adjudication needs to be made in this suit and accordingly, the suit stands decreed in terms of the undertaking, which shall form part of the decree.

3. In view of the understanding between the parties that had been arrived at, Registry is directed to refund the Court fee as applicable in the name of the plaintiff. No costs. Consequently, connected applications are closed.

**13-07-2026**

Speaking/Non-speaking order  
Neutral Citation: Yes/No

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**K.KUMARESH BABU, J.**

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