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A No. 2132 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

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THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

A No. 2132 of 2026

in

C.S(COMM DIV) NO. 141 OF 2026

Itc Limited
Virginia House,
37, Jawaharlal Nehru Road,
Kolkata 700 071
and also at
No.760, Anna Salai,
Chennai 600 002.
Represented by its Constituted Attorney
Mr.N.Saravanan.

..Applicant

Vs

1. Shree Ramdev Notebook
Represented by its de jure proprietrix
Ms. Samba Devi
895, Rangai Gowder Street,
Coimbatore 641 001
and also at
640, Thomas Street Town Hall, Near Vel
Murugan Store
Coimbatore 641 001.
2. Shankar Singh,
de facto Proprietor of
M/s. Shree Ramdev Note Book
895, Rangai Gowder Street,
Coimbatore 641001.
3. Ramdev Pens and Paper,
represented by its de jure proprietrix
Ms Tejrajji Devi
380A, 1st Floor, R.G. Street,
Coimbatore- 641001.



4. T Ramesh Kumar
de facto proprietor of
M/s. Ramdev Pens and Paper
380A, 1st Floor, R.G. Street,
Coimbatore- 641001.
5. New Supreme Agency,
A firm unspecified
2-430, Arumbanur Main Road,
Kodikkulam, Madurai- 625104.
6. Ashok Kumar
Unknown Person
India.

..Respondents

This Application is filed to pass an order appointing an Advocate Commissioner to visit the premises of the Respondents, their godowns, warehouses and the premises of their stockists, distributors, clearing and forwarding, agents, transporters, or wherever the goods are found, break open the locks if the premises are found locked, secure the services with police authorities, if necessary seize and take into actual physical custody,

(i) All Products bearing the mark CLASSMAN or any other mark deceptively similar to the Applicants registered mark CLASSMATE by itself, or with other words or any other variant.

(ii) all counterfeit products bearing the deceptively similar mark CLASSMAN

(iii) all pamphlets, labels, bill books, books of accounts, invoices and any other documents containing any information/entry/reference of and regarding the Respondents use of the mark CLASSMAN by itself, or with other words or any other variant

(iv) direct the Respondents and/or their agents, successors, assigns, stockists, dealers, distributors, representatives to provide the names and addresses of the wholesalers, retailers, agents, transporters, who distribute, supply, sell, offer for



sale etc, products bearing the mark CLASSMAN or any other marks deceptively similar to the Applicants registered mark CLASSMATE (v) Seal the premises where the products under the identical mark CLASSMATE are manufactured or stored for export, sale, distribution or marketing.

For Applicant:

Mr.Arun C Mohan

ORDER

This application has been filed seeking for a direction to appoint an Advocate Commissioner to visit the premises of the Respondents, their godowns, warehouses and the premises of their stockists, distributors, clearing and forwarding, agents, transporters, or wherever the goods are found, break open the locks if the premises are found locked, secure the services with police authorities, if necessary seize and take into actual physical custody:

(i) All Products bearing the mark CLASSMAN or any other mark deceptively similar to the Applicants registered mark CLASSMATE by itself, or with other words or any other variant.

(ii) all counterfeit products bearing the deceptively similar mark CLASSMAN (iii) all pamphlets, labels, bill books, books of accounts, invoices and any other documents containing any information/entry/reference of and regarding the Respondents use of the mark CLASSMAN by itself, or with other words or any other variant

(iv) direct the Respondents and/or their agents, successors, assigns, stockists,



dealers, distributors, representatives to provide the names and addresses of the wholesalers, retailers, agents, transporters, who distribute, supply, sell, offer for sale etc, products bearing the mark CLASSMAN or any other marks deceptively similar to the Applicants registered mark CLASSMATE

(v) Seal the premises where the products under the identical mark CLASSMATE are manufactured or stored for export, sale, distribution or marketing.

2. The learned counsel appearing for the applicant would submit that the applicant is the registered proprietor of word mark “CLASSMATE” in relation to “notebooks, pencils, copier paper, scholastic products like sketch pens, highlighters, whiteboard markers, permanent markers, crayons, fountain pens, ball pens, roller pens, gel ink pens and types of writing instruments etc., under Trade Mark Registration No.1846290 dated 31.07.2009 in Class 16, But the respondent with a malafide intention adopted deceptively similar mark “Classman.”, thereby infringing the right of the plaintiff. He therefore seeks for appointment of two advocate commissioners to visit the respondent’s premises and take appropriate measures for preservation and identification of the infringing goods and materials.

4. Upon considering the facts and circumstances of the case and the submissions made by the learned counsel for the applicant, this Court is satisfied that the applicant has made out a case and accordingly, Advocate Ms.R.Suvithra (Enrollment No.1849/2006), having office at Chamber No.381,



Additional Law Chambers, High Court of Madras, Chennai-104 (Mobile No.9360139873) and Ms.C.Chandra Priya (Enrolment No.3199/2019)

No.1046, 1st block, 4th Floor, Osian Chlorophyll Apartment, Porur Link Road, Porur, Chennai 600116, are appointed as Advocate Commissioners to visit the premises of the respondents and seize the infringed goods. They shall be paid initial remuneration of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand only) each in advance. The expenses towards their travel and stay shall be defrayed by the applicant. The said initial remuneration shall be paid to the Advocate Commissioners within a period of two weeks from the date of receipt of communication from them.

5. It is hereby made clear that if police help is required, the Advocate Commissioners shall make a request to the local police station within whose jurisdiction the infringed goods are found and on such request being made, the Station House Officer shall send the Police Personnel along with the Advocate Commissioners to seize the infringed goods. If there is need to break open a lock, the Advocate Commissioners shall do so in the presence of the police personnel who will counter-sign the record evidencing the break open of the lock and shall re-lock the premises. If the Advocate Commissioner find any difficulty with the jurisdictional police, they are at liberty to approach Superintendent of Police, who shall provide all necessary assistance to the learned Advocate Commissioners at the time of seizure of the infringed goods.



After seizure, the infringed goods are to be handed over to the applicant or to their representative, after taking inventories.

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6. List the matter on 15.06.2026 for filing report of the Advocate Commissioners.

7. Notice to the respondents returnable by 15.06.2026. Private Notice is also permitted

13.05.2026

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To

1. Shree Ramdev Notebook Represented by its de jure proprietrix Ms Samba Devi
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2. Shankar Singh De facto Proprietor of Ms Shree Ramdev Note Book
895, Rangai Gowder Street, Coimbatore 641001
3. Ramdev Pens and Paper represented by its de jure proprietrix Ms Tejrjaji Devi
380A, 1st Floor, R.G. Street, Coimbatore 641001.
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