



WEB COPY

C.S(COMM.DIV) No.158 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-07-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

C.S (COMM.DIV) No.158 of 2025

and

O.A.Nos.629 & 630 of 2025

and

Appln.No.2836 of 2025

Mr.M.Anees Ahmed,
Sole Proprietor,
M/s.Ambur Star Briyani,
Having its office at
No 116/1, Arcot Road,
Vadapalani,
Chennai - 600 026.

..Plaintiff

Vs

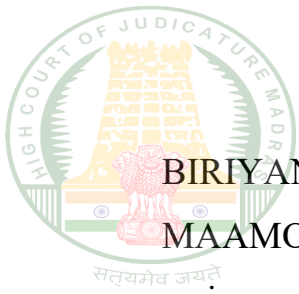
Staar Maamood Bhai Briyani,
Previously STAR CHICKEN BIRIYANI,
Old.No.105, New No.142,
Perambur Barracks Road,
Purasaiwalkam,
Chennai - 600 007.

(Amended as per order dated 02.03.2026 in
A.No.930/2026)

..Defendant

PRAYER : Plaint under Order VII Rule 1 of CPC r/w. Order IV Rule 1 of High Court O.S.Rules and Section 134 and Section 135 of the Trade Marks Act, 1999, prays for judgment and decree

(a) granting a permanent injunction restraining the defendant their men, servants agents or anyone claiming through or under them from in any manner infringing the plaintiff Trade Mark and Trading style “AMBUR STAR



BIRIYANI” by using the offending Trade Mark and Trading style “STAAR MAAMOOD BHAI BRIYANI” or any other mark or marks which are similar or in any way deceptively similar to or a colorable imitation of the plaintiff’s Trade Mark “AMBUR STAR BRIYANI”;

(b) granting a permanent injunction restraining the defendant, their men, servants, agents or anyone claiming through or under them from in any manner Passing-off the plaintiff Trade Mark and Trading style “AMBUR STAR BRIYANI” by using the offending Trade Mark and trading style “STAAR MAAMOOD BHAI BRIYANI” or any other mark or marks which are similar or in anyway deceptively similar to or a colorable imitation of the plaintiffs Trade Mark “AMBUR STAR BRIYANI”;

(c) directing the defendant to surrender the entire stock of unused offending goods with Trade Mark “STAAR MAAMOOD BHAI BRIYANI” with name boards, labels, wrappers, boxes, covers, bags, packets, cartons, bills, advertisements, materials, reports, envelopes, brochures, printing blocks etc., bearing the offending Trade Mark for destruction;

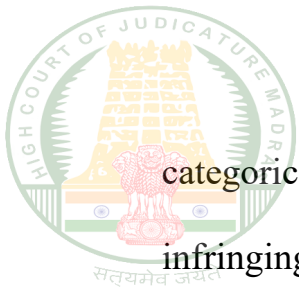
(d) directing to the defendant to pay the plaintiff the costs of the suit.

For Plaintiff : Mr. Vijayan Subramanian

For Defendant : Mr.Inamdar Ameenur Rahman Salam

J U D G M E N T

When the matter was taken up for hearing, the defendant filed an affidavit in the suit indicating that he has been carrying on business only in the name and style of “Maamood Bhai Briyani” and that he had never used the infringing Trade Mark of the plaintiff. That apart, the defendant has further given a



categorical undertaking that he shall not, at any point in future, use the infringing Trade Mark of the plaintiff and had also prayed to close the suit. For better appreciation, the relevant portion of the affidavit is extracted hereunder:

AFFIDAVIT FILED BY THE DEFENDANT

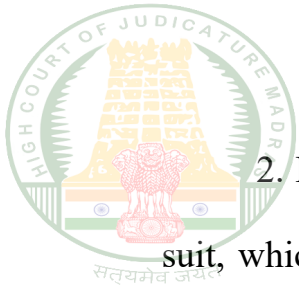
“I, Mahammed, aged about 61 years, Son of Yacoob, Proprietor of “Maamood Bhai Briyani”, having my place of business at Old No.105, New No.142, Perambur Barracks Road, (facing Kariappa Mudaly Street), Purasawalkam, Chennai – 600 007, do hereby solemnly affirm and sincerely state as follows:

1. I am the Defendant in the above suit and I am carrying on business only in the name and style of “Maamood Bhai Briyani”.

2. I respectfully submit that I have never used the word “STAR” or “STAAR” either in my trade name, sign board, invoices, advertisements, packaging materials, social media platforms or in any manner.

3. I shall not, in future, use the word “STAR” or “STAAR”, either independently or as part of any trade name, trading style, mark, logo, advertisement or business identification in relation to my business.

4. The grievance raised by the plaintiff no longer survives and no cause for further adjudication remains insofar as the alleged use of the word “STAR” is concerned and this Hon’ble Court may be pleased to record the above and close the suit and connected applications and thus render justice.”



2. In view of the specific undertaking given by the defendant, the present suit, which has been filed for infringement of the Trade Mark of the plaintiff, requires no further adjudication. Based on the admissions made in the affidavit, the Suit stands decreed as prayed for. However, there shall be no order as to costs. Consequently, connected applications are closed.

01-07-2026

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

vji



WEB COPY

C.S(COMM.DIV) No.158 of 2



K.KUMARESH BABU, J.

vji

**C.S (COMM.DIV) No.158 of 2025
and
O.A.Nos.629 & 630 of 2025
and
Appln.No.2836 of 2025**

01-07-2026