

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.4.2015

CORAM ::

THE HONOURABLE MR.JUSTICE **K. RAVICHANDRABAABU**

C.S.No.143 of 2015

and

O.A.Nos.203 and 204 of 2015

M/s. Nalli Chinnasami Chetty
Represented by its Partner
Mr.Nalli Kuppuswami Chetty
9, Nageswara Road,
T.Nagar
Chennai - 600 017 ... Plaintiff

- Vs -

Nalli Silk House A/C
No.10, Salem Main Road
Ground Floor,
Kallakurichi - 606 202 ... Defendant

Plaint filed under Order IV Rule 1 of the O.S. Rules
read with Order VII Rule 1 of C.P.C.

For Plaintiff :: Mr.V.P.Raman

For Defendant :: MR.R.Sathish Kumar

J U D G M E N T

Today, a memorandum of compromise entered into between the parties, namely, the plaintiff and the defendant, on 30.4.2015 is filed before this Court. The compromise memo dated 30.4.2015 filed by the parties, signed by both of them as well as their respective counsel reads as follows:

"1. The plaintiff had filed the above case against the defendant for a permanent injunction restraining the defendant from infringing the plaintiff's registered trademark NALLI by using NALLI SILK HOUSE as a trademark, from passing off and other consequential reliefs.

2. The plaintiff and the defendant have decided to settle the matter amicably whereby the defendant shall change the name of their business to NALLAPPA SILK HOUSE from December 2015 for which the plaintiff also agrees.

3. The defendant shall stop using the trademark/trade name NALLI or any other trademark which is deceptively similar thereto with effect from 31.12.2015 and the defendant shall not use any invoices, advertisements, display boards, gift materials, etc., bearing the trademark NALLI SILK HOUSE with effect from the said date.

4. In view of the above the plaintiff is not pressing for the other reliefs claimed in the plaint.

5. The plaintiff and the defendant pray that the about suit may be decreed in terms of the above compromise."

2. The learned counsel appearing on either side prays for disposal of the suit in terms of the above said compromise memo.

3. Recording the above said submission and in view of the above memorandum of compromise entered into between the parties, the suit is disposed of in terms of the above said memo of compromise dated 30.4.2015. The above said memo of compromise shall form part of the record. The Registry is directed to refund the Court fee in the name of the plaintiff as permissible under the Rules. The connected Applications are closed.

सत्यमेव जयते

sd/.K.R.C.B.J

30.04.2015

//Certified to be a true copy//

Dated this the day of 2015.

R.s/04.09.2015

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.