

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2016

CORAM

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

Original Application Nos.529 and 530 of 2013

in

C.S.No.475 of 2013

Ansari Estate Pvt Ltd.,
2/1, Riverside Road
Egmore, Chennai - 600 008
Represented by its Managing Director
Mr.N.M.Mohammed Thameemul Ansari

..Applicant
in both applications

Vs

Mahadevan

.. Respondent
in both applications

Prayer in O.A.No.529 of 2013: Applications filed under Order XIV Rule 8 of Original Side Rules read with Order 39 Rule 1 and 2 of C.P.C praying to grant an ad-interim injunction restraining the respondent/defendant, his men, servants, agents, representatives or any one claiming through them from in any manner passing off the respondent/defendant's hotel business and for the applicant/plaintiff's hotel business by use of the trademark "the marina" logo or any other mark deceptively similar to the applicant/plaintiff's trademark "hotel marina towers" logo with identical scheme, get up and layout or in any other manner whatsoever pending disposal of the above suit.

Prayer in O.A.No.530 of 2013: Applications filed under Order XIV Rule 8 of Original Side Rules read with Order 39 Rule 1 and 2 of C.P.C praying to grant an ad-interim injunction restraining the respondent/defendant, his men, servants, agents, representatives or any one claiming through them from in any manner passing off and/or enabling others to pass off the respondent/defendant's hotel business and for the applicant/plaintiff's hotel business by use of the trademark "the marina" logo or any other mark deceptively similar to the applicant/plaintiff's trademark "hotel marina towers" logo with identical scheme, get up and layout or in any other manner whatsoever pending disposal of the above suit.

For Applicant :Mr.V.Dijnesh Raja

For Defendant :Mr.K.Premchandrar
for M/s.Anand and Anand

O R D E R

Heard the learned counsel appearing for the applicant and the learned counsel for the respondent.

2. At the time of filing of the suit only notice was issued on the above applications. Counter affidavit has been filed. In Paragraph No.37 of the counter affidavit, it is stated that the applicant had changed their

name even on the date of filing of the suit from “Hotel Marina Towers” to “Ramada Inn”.

As only notice was issued, the applications are dismissed for the present with liberty to the applicant to file fresh application if need be.

08.11.2016

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PUSHPA SATHYANARAYANA, J

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