

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.03.2016

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE MR. JUSTICE M.M.SUNDRESH

O.S.A.No.43 of 2016
and
CMP.No.4098 of 2016

- 1.Hotel Maaris Grand,
rep. by its Partner Marimuthu,
56/56A, Thirumalai Pillai Road,
T.Nagar, Chennai-600 017.
- 2.Marimuthu,
Partner,
Hotel Maaris Grand,
56/56A, Thirumalai Pillai Road,
T.Nagar, Chennai-600 017.
- 3.Vijayarani,
Partner,
56/56A, Thirumalai Pillai Road,
T.Nagar, Chennai-600 017. .. Appellants

vs

Maris Hotels and Theatres Private Limited,
11, Chathedra Road,
Gopalapuram,
Chennai-600 086,
rep. by its Joint Managing Director
Anand Kumar Rengaswamy. .. Respondent

Appeal filed under Order XXXVI, Rule 9 of Original Side Rules
read with Clause 15 of Letters Patent to set aside the order made
in O.A.No.1143 of 2015 in C.S.No.855 of 2015, dated 29.01.2016.

For Appellants .. Mr.V.Raghavachari

For Respondent .. Mr.Arun C.Mohan

JUDGMENT

(Judgment of the Court was delivered by The Hon'ble Chief Justice)

The learned counsel for the appellants seeks to contend before us that the trademark was being used by the appellants for Pudukottai Hotel for a long period of time, but concedes that no material has been placed on record in that behalf.

2. In view of the aforesaid position, the learned counsel for the appellants seeks to withdraw the appeal and he would like to move the learned Single Judge. Endorsement has been made.

3. He may do so in accordance with law.

4. The appeal is dismissed as withdrawn in the aforesaid terms. No costs. Consequently, CMP.No.4098 of 2016 is closed.

Sd/-
Asst.Registrar (AS)

/true copy/

Sub Asst. Registrar

bbr

To

The Sub Assistant Registrar,
Original Side,
High Court, Madras.

1 cc to M/s. Arun C. Mohan, Advocate, Wsr. 15083

O.S.A.No.43 of 2016

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