

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 07TH DAY OF OCTOBER 2016

THE HON'BLE MR.JUSTICE M.M.SUNDRESH

O.A.Nos.707 & 708 of 2016

in

C.S.No.581 of 2016

1.Mr.A.D.Padmasingh Isaac,
Trading as Aachi Spices and Foods,
Old No.4, New No.181/1,
6th Avenue, Thangam Colony,
Anna Nagar,
Chennai - 600 040

2.M/s.Aachi Masala Foods (P) Ltd.
Old No.4, New No.181/1,
6th Avenue, Thangam Colony,
Anna Nagar,
Chennai-600 040
Represented by its Director,
Mr.Ashwin Pandian

..Applicants/Plaintiffs
(in both original applications)

-Versus-

M/s.Madurai Achi Foods,
Cottage Industries,
No.114-A, Aavin Nagar,
Madurai - 625 020.

..Respondent/Defendant
(in both original applications)

O.A.No.707 of 2016:

Original Application praying that this Hon'ble Court be pleased to grant an interim injunction, restraining the Respondent, by itself, its servants, agents, distributors, or anyone claiming through him from

manufacturing, selling, advertising and offering for sale using the Trade Mark "ACHI VEETU IDLI DOSAI MAAVU"/AACHI IDLY DOSAI MAAVU or any other similar Trade Mark or similar sounding expression or in any media and use the same in invoices, letter heads and visiting cards or by using any other trade mark which is in any way visually or deceptively or phonetically similar to the Applicants' trade marks AACHI/AACHI IDLY DOSAI MAAVU and use the same in pouches, packets in relation to flour preparations or any other goods or use the mark in idly dosai batter, invoices, letters heads and visiting cards or any other trade literature or by using any other trade mark which is in any way visually, or phonetically similar to the Applicants' registered Trade Mark Nos.1843529, 838786, 1479159, or in any manner infringe the Applicant's registered Trade Mark pending disposal of the suit.

O.A.No.708 of 2016:

Original Application praying that this Hon'ble Court be pleased to grant an interim injunction, restraining the Respondent, by itself, its servants, agents, distributors, or anyone claiming through him from manufacturing, selling, advertising and offering for sale using Trade Mark "ACHI VEETU IDLI DOSAI MAAVU"/"AACHI IDLY DOSAI MAAVU" or any other similar Trade Mark or in any media and use the same in

invoices, letter heads and visiting cards or by using any other trade mark which is in any way visually or deceptively or phonetically similar to the Applicants' trade marks "AACHI"/"AACHI IDLY DOSAI MAAVU" in respect of flour preparations, batter, or any other goods or use the mark in invoices, letters heads and visiting cards or any other trade literature or by using any other trade mark which is in any way visually, or phonetically similar to the Applicants' Trade Mark "AACHI"/"AACHI IDLY DOSAI MAAVU" or in any manner pass off the Applicant's goods pending disposal of the suit.

These Original Applications coming on this day before this court for hearing, the Court made the following order:

On prima facie consideration, this Court was pleased to grant an order of interim injunction on 26.08.2016.

Despite notice having been served, none appears for the respondent. Hence, interim injunction already granted is made absolute.

Sd./-M.M.S.J
07.10.2021

//Certified to be true copy//
Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

From 25th day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

JJ 30/10/2021