

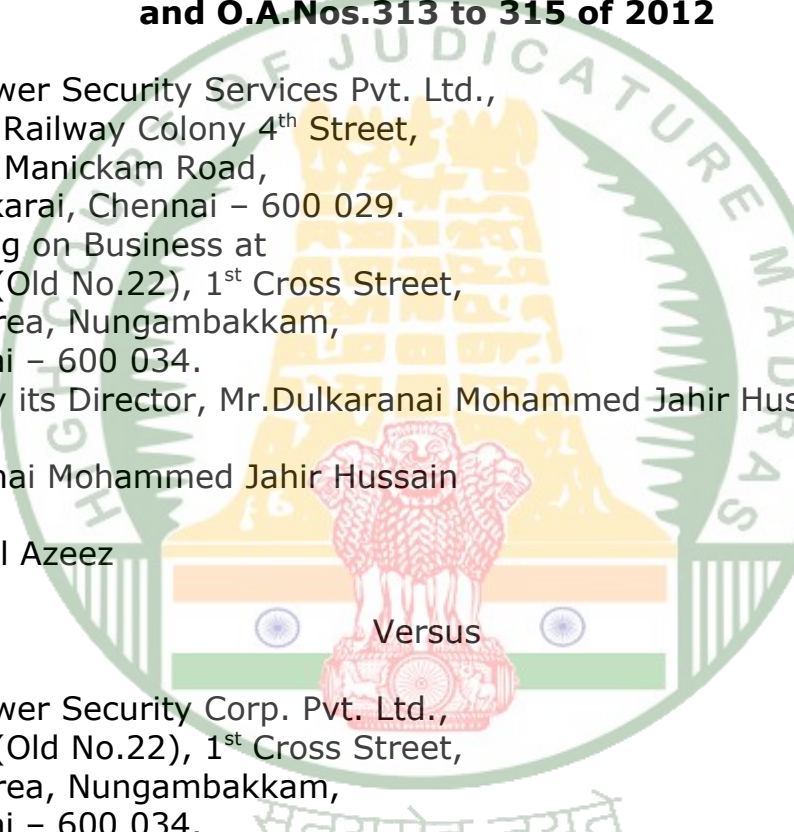
IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.07.2019

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The Honourable Mr.Justice KRISHNAN RAMASAMY

**C.S.No.259 of 2012
and O.A.Nos.313 to 315 of 2012**

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- 1.M/s.Power Security Services Pvt. Ltd.,
No.10, Railway Colony 4th Street,
Nelson Manickam Road,
Aminjikarai, Chennai – 600 029.
Carrying on Business at
No.18 (Old No.22), 1st Cross Street,
Lake Area, Nungambakkam,
Chennai – 600 034.
Rep. by its Director, Mr.Dulkaranai Mohammed Jahir Hussain.
- 2.Dulkarnai Mohammed Jahir Hussain
- 3.D.Abdul Azeez ...Plaintiffs
- Versus**
- 1.M/s.Power Security Corp. Pvt. Ltd.,
No.18 (Old No.22), 1st Cross Street,
Lake Area, Nungambakkam,
Chennai – 600 034.
Rep. by its Managing Director, Lathif Segudareen.
- 2.Mr.Abdul Lathif Segudareen
- 3.Mohammed Kasim Aneez ...Defendants

This Civil Suit is filed under Order VII Rule 1 of C.P.C, Order IV Rule 1 of O.S.Rules r/w. Section 27 & Sections 134(1)(c) of the Trade Marks Act, 1999 and Sections 55 & 62 of Copy Right Act, 1957 for the following reliefs:

(a) For a permanent injunction restraining the defendants herein, their men, agents, servants, subordinates or any other person or persons claiming through them or authorized by them from, in any manner passing off their goods and services as that of the plaintiffs by using the offending Trade name M/s.POWER SECURITY CORPORATION PVT. LTD or any other Trademark or name which is similar or deceptively similar to that of the plaintiffs' registered Trademark, POWER SECURITY SERVICES;

(b) For a permanent injunction restraining the defendants herein, their men, agents, servants, subordinates or any other person or persons claiming through them or authorized by them from, in any manner, infringing the plaintiffs' copyright in their Logo 'POWER SECURITY SERVICES' with custom, get up, style by using the Logo which is similar or deceptively similar to that of the Plaintiffs' Logo;

(c) To direct the defendants to surrender to the plaintiffs the entire stocks, brochures, pamphlets, labels, visiting cards, letter pads and other stationary, printing items and staff's Uniforms with the offending Trademark and name, POWER SECURITY CORPORATION SERVICES and/or the offending Logo for destruction;

(d) Directing the defendants to render a true and faithful account of the profits earned by them through the Security Services rendered under the offending Trade Mark and Name, POWER SECURITY CORPORATION SERVICES and directing the payment of such profits to the plaintiffs;

(e) Directing the defendants to pay the costs of the suit.

For Plaintiffs : No Appearance
For Defendants : Mr.R.Anishkumar

J U D G M E N T

Today(18.07.2019), when the matter is called, the earlier counsel for plaintiffs on record submitted that they have given a Change of Vakalat before the Registry as early as on 06.09.2014 and also handed over the bundle to the plaintiffs.

2. The learned counsel appearing for the defendants submitted that the matter has been settled out of Court, between the parties.

3. In view of the submission made by the defendants' counsel, nothing survives in the present suit for further adjudication and therefore, the same is dismissed as settled out of Court. No costs. Consequently, connected Applications are closed.

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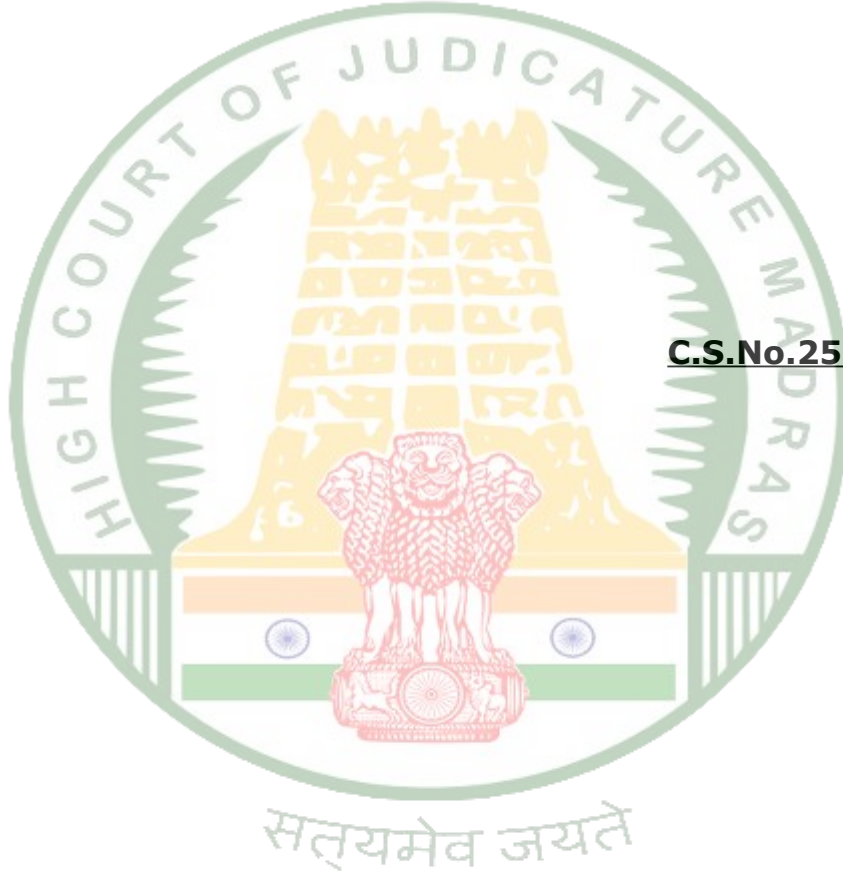
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Index : Yes/No

KRISHNAN RAMASAMY, J.,

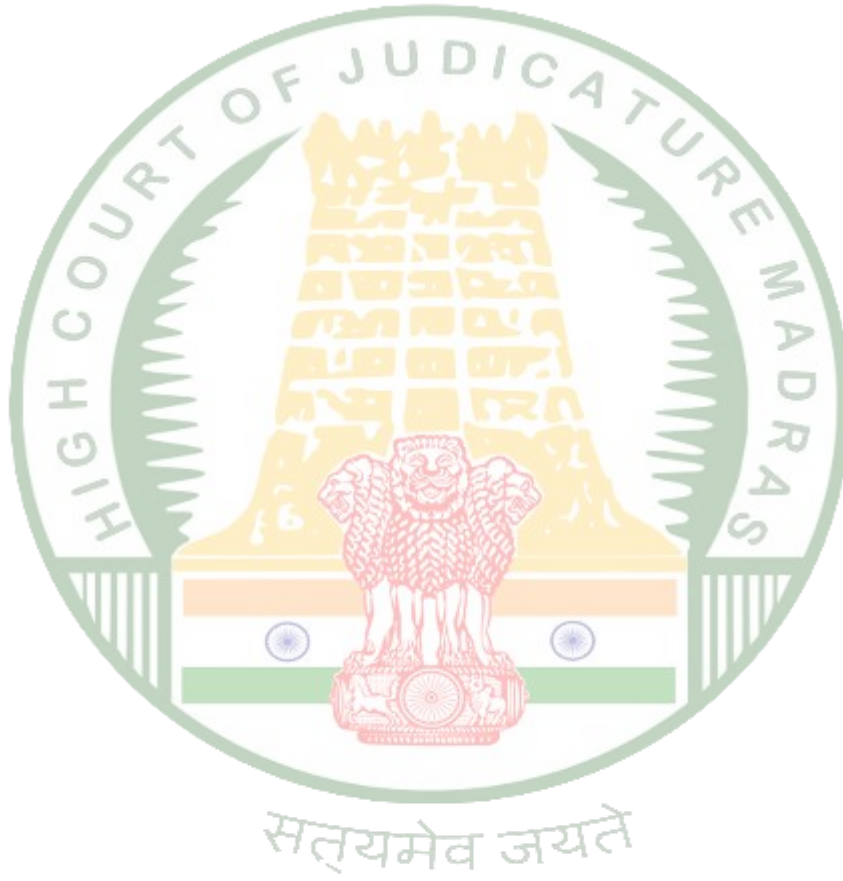
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