

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 10TH DAY OF JANUARY 2020

THE HON'BLE DR. JUSTICE G.JAYACHANDRAN

A.No.9834 of 2019

in

C.S. No.832 of 2009

*M/s.Matrimony.Com Limited,
No.94,TVH Bellicia a Towers,
Towers-2, 10th Floor,
MRC Nagar, Mandaveli,
Chennai- 600 028
rep.by its Director*
Mr.Janakiraman Murugavel

(*Amended as per order dated 12.09.16 in A.No.4614/16)

...Plaintiff

vs

1.Google India Pvt.Ltd.
No.3, RMZ Infinity - Tower E,
3rd, 4th and 5th Floors,
Old Madras Road,
Bangalore - 560 016

2.People Interactive Pvt.Ltd.
**Old No.-124/1, New NO. -14,
Heera Panna Complex,
2nd Floor, G.N.Chetty Road,
T.Nagar, Chennai - 600 017.

(**Amended as per order dated 25.1.18 in A.No.640/18)

3.Jeevansathi Internet Services P.Ltd.,
1-H, Gee Gee Emerald,
151, Village Road,
Nungambakkam,
Chennai- 600 034

4.(*) Bennett, Coleman and Co.Limited
Times of India Building.
Dr.D.N.Road, Mumbai 400001.

(*) (Amended as per order dated 25.01.201 in A.No.641/18)

<https://hcservices.ecourts.gov.in/hcservices/>

(*)5.Google LLC

(*) (Amended as per order dated
25.01.201 in A.No.642/18)
(***) 1600, Amphitheatre Parkway,
Mountain View, CA 94043
(***5th defendant is impleaded as
per order dated 30.09.2010
in A.No.247/10)

..Defendants

A.No.9834 of 2019:

M/s.Matrimony.Com Limited,
No.94,TVH Beliciaa Towers,
Towers-2, 10th Floor,
MRC Nagar, Mandaveli,
Chennai- 600 028
rep.by its Associate Vice President-
Legal and Regulatory
Mr.S.Ravichandran. ...Applicant/Plaintiff

VS

1.Google India Pvt.Ltd.
No.3, RMZ Infinity - Tower E,
3rd, 4th and 5th Floors,
Old Madras Road,
Bangalore - 560 016

2.People Interactive Pvt.Ltd.
Old No.-124/1, New NO. -14,
Heera Panna Complex,
2nd Floor, G.N.Chetty Road,
T.Nagar, Chennai - 600 017.

3.Jeevansathi Internet Services P.Ltd.,
1-H, Gee Gee Emerald,
151, Village Road,
Nungambakkam,
Chennai- 600 034

4.Bennett, Coleman and Co.Limited
Times of India Building.
Dr.D.N.Road, Mumbai - 400001.

5.Google LLC
1600, Amphitheatre Parkway,
Mountain View, CA 94043

..Respondents/Defendants

A.No.9834 of 2009:

This application praying that this Hon'ble court be
pleased to permit the applicant to file additional
documents a list whereof is annexed hereto and marked as
Annexure-A.

This Application coming on this day before this Court for hearing the court made the order:

This application is filed to permit the applicant to file additional documents, list whereof is annexed hereto and marked as Annexure B.

2.The learned counsel appearing for the respondents submits that the additional documents were available with the applicant/plaintiff even before filing the earlier application for receiving the additional documents and there is no proper explanation given by the applicant/plaintiff why these documents were not sought to be introduced at the earlier instance.

3.Issue of infringement of trademark is involved in this case. Technical nicety need not stand in the way of the plaintiff/applicant case. When *prima facie* he has demonstrated the fact that there are several trademarks infringing his registered trade mark, the rival claim of the defendant can be appreciated only during trial. Therefore, the respondents are at liberty to record objection, if any, regarding relevancy of the documents at the time of marking documents during the course of trial.

4.With these observations, this application is allowed. No costs.

Sd/.DR.G.J.J.

10.01.2020

//Certified to be a true copy//
Dated this the day of 2020.

SU/30.01.2020

COURT OFFICER

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