



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 14TH DAY OF JUNE, 2021

THE HON'BLE MR. JUSTICE R. SUBRAMANIAN

C.S. No.331 of 2000

Rajalakshmi Match Works
by its Proprietor
Mr. B. Manikandan,
226, Main Road,
Kovilpatti - 628 501

..Plaintiff

Vs.

1. Satpal Sindhi,
Prop. Babloo & Company,
Ward No.22, Sindhi Nagar,
Bhilwara, Rajasthan.

2. Mr. Pasumal Narayan Das
M/s. Shiv Match Trading Company,
Wholesale Matcher Merchants
Main Market, Nasirabad,
Ajmer Distrit, Rajasthan.

3. Prem Prakasa Agrawal,
S/o, Amarchand Agarwal,
Jindal Pan Masala
Ghora Nikas, Bhopal.

4. Mr.Selvaraj
M/s. Prasad Trading Company,
Arunachalam Pettai Street,
Kovilpatti-628 501.

5. Mr. Thiagarajan
Door No.88, New No.211
Muthumandapuram First Street,
Kovilpatti - 628 501.

6. Mr. Mukesh Jain,



24-1-Bharathi Nagar,
ROSE complex Upstair,
Pasu Vanthanai Road,
Kovilpatti.

...Defendants

Civil Suit praying that this Hon'ble Court be pleased to grant the following relief:

(a) an order of permanent injunction restraining the defendants or its men, agents, servants or any other person/persons claiming through or under them from passing off the Defendants inferior products as that of the Plaintiff's by using the TRADE MARK, NAME AND LOGO "RAJHA'S SHRIFAL" or "SHRIFAL" in respect of safety matches depicting by one full coconut and one split coconut more particularly depicted in the schedule herein below, designed and developed by the Plaintiff or any product, Trade Name or Trade Mark which is deceptively similar thereto in respect of any and every match box sold by the defendants and also in any kind of advertisements, bill boards etc in respect of Matchboxes.

(b) an order of injunction restraining the defendants or its men, agents, servants or any other person/persons claiming through or under them from infringing the plaintiff's copy right in the artistic work of the Plaintiff's label on the Plaintiff's match boxes with the TRADE MARK, NAME AND LOGO "RAJHA'S SHRIFAL" or "SHRIFAL" depicting by one full coconut and one split coconut more particularly depicted in the schedule herein below, designed and developed by the plaintiff in respect of any and every



match box sold by the defendants and also in any kind of advertisements, bill boards etc in respect of Matchboxes.

(c) Cost of this suit.

This Civil Suit coming on this day before this court for hearing through Video Conferencing in the presence of Mr. Vikraman for M/s. B. Ravi Raja, advocates for plaintiff herein and Ms. Usha, advocate for the defendants 3, 5 & 6 herein and upon reading the plaint filed herein and the learned counsel for the plaintiff having submitted that the civil suit has become infructuous and the same may be dismissed as such and this court doth recording the same, it is ordered as follows:-

That the suit in C.S. No. 331 of 2000, be and is hereby dismissed as having become infructuous.

2. That there shall be no costs of this suit.

WITNESS THE HON'BLE JUSTICE MR. SANJIB BANERJEE, THE CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 14TH DAY OF JUNE, 2021.

Sd./-

ASSISTANT REGISTRAR (COMM. CASES)

//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.



VF-15.07.2021
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C.S. No.331 of 2000

ORDER :-

DATED: 14.06.2021

THE HON'BLE MR. JUSTICE
R. SUBRAMANIAN

FOR APPROVAL: 16/07/2021

APPROVED ON: 19/07/2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2021

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.S.No.331 of 2000

Rajalakshmi Match Works

by its Proprietor

Mr.B.Manikandan,

226, Main Road, Kovilpatti 628 501.

... Plaintiff

Versus

1. Satpal Sindhi,

Prop. Babloo & Company,

Ward No.22, Sindhi Nagar,

Bhilwara, Rajasthan.

2. Mr.Pasumal Narayan Das

M/s. Shiv Match Trading Company,

Wholesale Match Merchants,

Main Market, Nasirabad,

Ajmer District, Rajasthan.

3. Prem Prakasa Agrawal

4. Selvaraj

M/s. Prasad Trading Company,

Arunachalam Pettai Street,

Kovilpatti 628 501.

5. Thiagarajan

6. Mukesh Jain

... Defendants



Code of Civil Procedure, praying to pass a judgment and decree:-

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- a) an order of permanent injunction restraining the defendants or its men, agents, servants or any other person/persons claiming through or under them from passing off the defendants inferior products as that of the plaintiff's by using the TRADE MARK, NAME AND LOGO "RAJHA'S SHRIFAL" or "SHRIFAL" in respect of safety matches depicting by one full coconut and one split coconut more particularly depicted in the schedule herein below, designed and developed by the plaintiff or any product, Trade Name or Trade Mark which is deceptively similar thereto in respect of any and every match box sold by the defendants and also in any kind of advertisements, bill boards etc in respect of Matchboxes ;
- b) an order of injunction restraining the defendants or its men, agents, servants or any other person/persons claiming through or under them from infringing the plaintiff's copy right in the artistic work of the plaintiff's label on the plaintiff's match boxes with the TRADE MARK, NAME AND LOGO "RAJHA's SHRIFAL" or "SHRIFAL" depicted by one full coconut and one split coconut more particularly depicted in the schedule herein below, designed and developed by the plaintiff in respect of any and every match box sold by the defendants and also in any kind of advertisements, bill boards etc in respect of Matchboxes;
- c) the costs of the suit.



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For Plaintiff : Mr.Vikraman
for M/s.B.Ravi Raja

For Defendants : Mr.T.Usha for D3, 5 & 6

J U D G M E N T

This matter is taken up for hearing through Video-Conferencing.

Mr.Vikraman representing counsel for Mr.B.Ravi Raja, appearing for the plaintiff would submit that the Civil Suit has become infructuous and the same may be dismissed as such.

2. Recording the said statement the Civil Suit is dismissed as having become infructuous. No costs.

Sd./- R.S.M.J.,

14.06.2021

List of the witnesses examined on the side of the plaintiff: Nil.

List of Exhibits marked on the side of the plaintiff: Nil.

List of the witnesses examined on the side of the defendants: Nil.

List of Exhibits marked on the side of the defendants: Nil.

Sd./- R.S.M.J.,

14.06.2021

// Certified to be true copy//

Dated at Madras this day of 2021.

Court Officer(O.S.)

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