IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2021

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THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.S.No.657 of 2011

M/s.Aravind Laboratories
3/17, Valluvar Salai
Ramapuram,
Chennai – 600 089.
Represented by its Partner
T.Devanathan ... Plaintiff

.Vs.

Religare Securities Ltd.
Trading as Religare Securities Limited
19, Nehru Place,
New Delhi-110 019. ... Defendant

Plaint filed under Order VII Rule 1 of the Code of Civil Procedure and Order IV Rule 1 of the Original Side Rules read with Section 27, 134 and 135 of the Trademarks Act, 1999 praying for a decree and judgment for :

a) granting a permanent injunction, restraining the defendant, by itself, its servants, agents, distributors, or anyone claiming thorugh them from manufacturing, selling, advertising and offering for sale using the Trade Mark "**HAWK EYE**" upon the goods or in any media and use the

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same in "PORTFOLIO MANAGEMENT, INVESTMENTS ADVISORY, ANALYSIS SERVICES, APPRAISAL SERVICES, BANKING, BROKERAGE, CAPITAL INVESTMENTS, FUNDS RAISING AND TRANSFER, CLEARINGS, COLLECTIONS, FINANCILA CONSULTANCY, DEBIT/CREDIT CARDS, DEBT COLLECTION, MONEY EXCHANGING, FACTORING, INFORMATION COLLECTION AND MANAGEMENT, FUNDING, LEASING, MUTUAL FUNDS, LOANS, AND INSURANCE SERVICE" invoices, letter heads and visiting cards or on any other cosmetics by using any other trade mark which is in any way visually, phonetically or deceptively similar to the plaintiffs registered Trade Mark "**EYETEX**", or in any manner infringing the plaintiffs registered Trade Mark Nos.124824, 271583 and 296914 in Class 3;

b) directing the defendant to surrender to the plaintiffs all the packing material, cartons, advertisement materials and hoardings, letter-heads, visiting cards, office stationery and all other materials containing/ bearing the Trade Mark **"HAWK EYE"** or other deceptively similar Trade Mark;

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c) For a preliminary decree in favour of the plaintiffs, directing the defendant to render an account of profits made by them by the use of the Trade Mark "**HAWK EYE**" on the goods referred and for a final decree in favour of the plaintiffs for the amount of the profits found to have

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been made by the defendants, after the defendant have rendered accounts and

d) directing the defendant to pay to the plaintiff the costs of the suit.

For Plaintiff : Miss.V.Revathi
for Mrs.Gladys Daniel

For Defendant : Mr.R.Sundar Narayan

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J U D G M E N T

Miss.V.Revathi, learned counsel representing Mrs.Gladys Daniel, learned counsel for the plaintiff would submit that she has got instructions to withdraw the suit.

2. Recording the same, this suit is dismissed as withdrawn. No costs.

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Index : No
Internet : Yes
Non-Speaking order

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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 defendant: Nil

List of Exhibits marked on the side of the defendant: Nil

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R.SUBRAMANIAN, J.

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