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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 30TH DAY OF JULY 2021

THE HON'BLE DR. JUSTICE G.JAYACHANDRAN

C.S.No.169 of 2020

C.S.No.169 of 2020:-

M/s.V.V.V&Sons Edible Oils Limited.,
Represented by its Director,
M.Rajiv Vignesh,
No.443, Bazaar,
Virudhunagar – 626 001.
Registered Address
No.6,6/2, Ellayamudali Street, II Lane,
(Kailasam Street),
Tondiarpet,
Chennai – 600 081.

... Plaintiff

Versus

1. M/s.Sri Kanyaka Parameshwari Oil Mills,
#14,12th Cross, Vinayaka Road,
Bendrenagar,(Bangalore)
Bengaluru – 560 070.

2. M/s.S.K.AAgro TECHH,
#14, Gottigehalli Road,
Kaggalahalli,(Bangalore)
Bengaluru – 565 112.

... Defendants

Civil suit praying that this Hon'ble Court be pleased to grant:

(a) a permanent injunction restraining the defendants, their men or agents or anybody claiming under them from in any way infringing the registered composite trade mark of the plaintiff by using identical colour scheme and getup of their trade dressing sachets;



using identical colour scheme and get up of their dressing sachets.

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3) That the plaintiff herein, be and is hereby given up the reliefs under prayer 12(b), 12(c) of the suit.

4) That there shall be no order as to costs of this suit.

Schedule - JMC



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VSP

04/10/2021

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C.S.No.169 of 2020

ORDER

DATED : 30.07.2021

THE HON'BLE DR.JUSTICE
G.JAYACHANDRAN

FOR APPROVAL: 21/10/2021

APPROVED ON: 25/10/2021



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Date : 30.07.2021

Coram::

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

C.S.No.169 of 2020

M/s.V.V.V & Sons Edible Oils Limited,
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/versus/

1. M/s.Sri Kanyaka Parameshwari Oil Mills,
#14, 12th Cross, Vinayaka Road,
Bendrenagar, (Bangalore),
Bengaluru – 560 070.

2. M/s.S.K.AAgro TECHH,
#14, 12th Cross, Vinayaka Road,
Bendrenagar, (Bangalore),
Bengaluru – 560 070.

... Defendant

Prayer: Plaint is filed under Order IV Rule 1 of the Madras High Court Original Side Rules and Order 7 Rule 1 of C.P.C and 134 & 135 of the Trade Marks Act, 1999 read with 7 of the Commercial Division Act 4 of 2016.



(a) Permanent injunction restraining the defendants, their men or agents or anybody claiming under them from in any way infringing the registered composite trade mark of the plaintiff by using identical colour scheme and getup of their trade dressing sachets;

(b). Damages of Rs.10,00,000/- to be paid by the defendants to the plaintiff.

(c). Grant such other relief as this Hon'ble Court may deem fit and proper in the circumstances.

For Plaintiff : Mr.P.V.Sudakar

For Defendant : Mr.R.Sathish Kumar

JUDGMENT

The parties have entered into a compromise and agreed to settle the dispute out of Court. In view of the terms of compromise entered between the parties on 23.06.2021, the suit is decreed. The terms of compromise shall form part of the decree. No order as to costs.

Sd./-G.J.J
30.07.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)