

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.S.No.290 of 2014

M/s.Global Eventz,
rep. By its Proprietrix,
G.Nirmala,
Old.No.117, New No.227,
“Fathima Towers”, 3rd Floor,
Triplicane, Chennai – 600 005.

...Plaintiff

Vs.

M/s.India Property Online Private Ltd.,
rep. By TVH Beliciaa Towers, Tower 11,
9th Floor, #94, M.R.C.Nagar,
Mandaiveli, Chennai – 600 028.

...Defendant

Prayer: Civil Suit filed under Order VII Rule 1 CPC and under Order IV Rule 1 of Original Side rules r/w with Sections 134 and 135 of the Trade Marks Act, 1999 praying as follows:-

a) granting permanent injunction restraining the defendant from advertising under the banner, Trade Mark “GRAHAPRAVESAM” and / or any other Trade Mark which is similar or identical to the plaintiff's Trade Mark “GRAHAPRAVESAM”.

b) granting permanent injunction restraining the defendant by itself, its servant, agents or any one claiming through it from in any manner

passing off its services under the offending Trade Mark “GRAHAPRAVESAM” as and for the plaintiff's celebrated services including “property Exhibitions, Property Events, Property Trade shows” under the plaintiff's Trade Mark “GRAHAPRAVESAM” either by selling or offering for sale or providing services in any manner advertising the same.

c) directing the defendant to surrender to the plaintiff the entire stock of unused offending labels, unused hoardings, pamphlets, banners, notices, Invitations, advertisement materials and / or any other materials bearing the offending Trade Mark “GRAHAPRAVESAM” and / or any other trademark which is similar or identical to the plaintiff's trademark “GRAHAPRAVESAM” along with the blocks and dyes for destruction.

d) directing the defendant to render a true and faithful account of the profits earned by the defendant by rendering services under the offending Trade Mark “GRAHAPRAVESAM” and / or any other trademark which is similar or identical to the plaintiff's Trademark “GRAHAPRAVESAM” and direct payment of such profits to the plaintiff for the passing off committed by the defendant.

e) directing the defendant to pay to the plaintiff the cost of the suit; and

f) pass such further order or orders as may be deemed fit and property to the circumstances of the case.

For Plaintiff : No appearance

For Defendant : Mr.Prasant Alia for

Surana & Surana

J U D G M E N T

The counsel for the plaintiff had filed a memo on 11.02.2021 withdrawing his appearance. This Court had directed notice to be issued to the plaintiff on 22.03.2021.

2. Pursuant to the said direction, Registry had issued notice to the plaintiff. The said notice has been returned with an endorsement that the Office has been vacated and there is no such person in the given address.

3. Hence, this suit is dismissed for non-prosecution. No costs.

26.04.2021

kkn

Internet: Yes

Index: No

Non-Speaking

सत्यमेव जयते
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List of witness and documents filed on the side of the plaintiff:

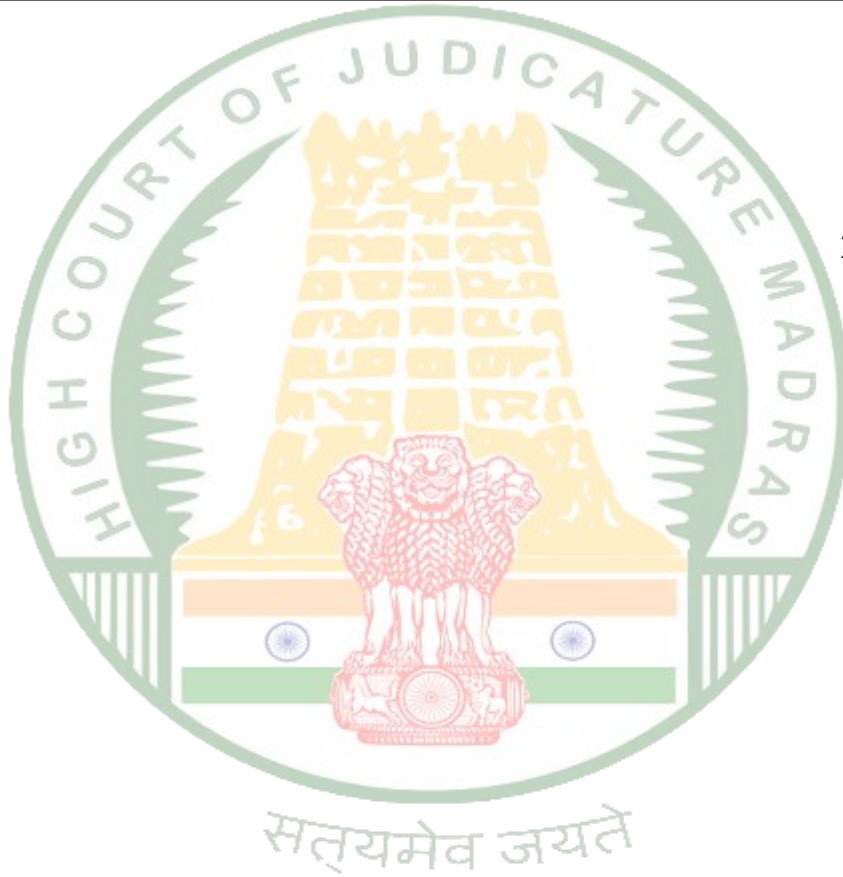
Nil

List of witness and documents filed on the side of the defendant:

Nil

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26.04.2021



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R.SUBRAMANIAN, J.

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