

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2021

CORAM:

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

C.S.No.648 of 2014

M/s.Lifestyle International Pvt. Ltd.,
9/8, Dwaraka Colony,
Brindavan Street, Mylapore,
Chennai - 600 004
represented by its
Senior Vice President - Group Legal &
Company Secretary,
Mr.Ramaprasad.S

... Plaintiff

..Vs..

M/s.Khadim India Ltd.,
37, Mount Road,
Chennai 600 002.

... Defendant

PRAYER : Complaint filed under Order VII Rule 1 CPC read with Order IV

Rule 1 O.S.Rules read with Sections 142 of the Trademarks Act, 1999,

prayed for a Judgment and Decree:-

(a) a declaration that the threat issued by the Defendant through its

counsel vide legal notice dated 10.09.2014 is unjustified and groundless.

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(b) a perpetual injunction restraining the defendant by itself, its Directors, servants, agents, distributors, importers, stockists, clearing and forwarding agents, successors, assigns or any and / or all of them from in any manner threatening the Plaintiff herein, directly or indirectly, in any manner by notices, advertisements, circulars, etc., regarding use of the mark PRO or PROACTIVE and thereby interfere and / or harm the business of the Plaintiff in any manner whatsoever.

(c) Direction to the defendant to compensate the plaintiff a sum of Rs.10,00,000/- or such other amount as this Hon'ble Court may determine after the records are produced for the damages sustained on account of the unjustified and groundless threats made by the defendant.

(d) An order as to costs of the proceedings.

For Plaintiff : M/s.Chandhini Pradeep Kumar

For Defendant : M/s.S.Manjula

J U D G M E N T

The learned counsel for the plaintiff had filed the following memo dated 25.03.2021. It is as follows:

"The plaintiff above named humbly submits as follows:

1. That the plaintiff and the Defendant herein have entered into an agreement of compromise in C.S.No.28 of 2015 filed before Hon'ble High Court at Calcutta, by which they have agreed to settle their disputes amicably without proceeding to any legal actions against each other. A copy of the terms of settlement is annexed herewith as Annexure - "A".

2. In view of the above agreement, the subject matter of the present civil suit has come to a closure. Therefore, the present plaintiff craves leave of the Hon'ble Court to withdraw the present civil suit.

C.V.KARTHIKEYAN, J

rna

Dated at Chennai on this 25th day of March

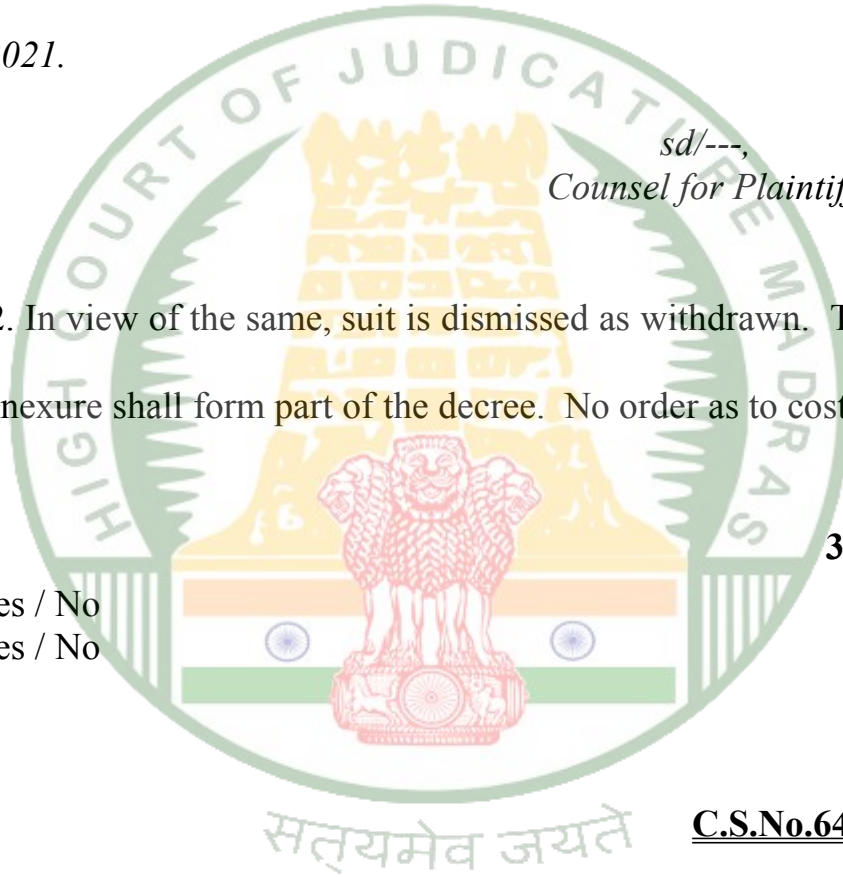
2021.

*sd/---,
Counsel for Plaintiff."*

2. In view of the same, suit is dismissed as withdrawn. The Memo and the Annexure shall form part of the decree. No order as to costs.

30.03.2021

Index : Yes / No
Web : Yes / No
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