



A.No.4091 of 2022

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SENTHILKUMAR RAMAMOORTHY, J.

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The intending plaintiff in a proposed suit for relief in respect of alleged passing off has presented this application seeking leave. In paragraph 15 of the affidavit in support of the application, the applicant has asserted that it markets and sells its products under the trademark Innovative Health Care at Chennai within the jurisdiction of this Court and that the respondent's website is accessible within the jurisdiction of this Court. In addition, it is also stated that the respondent's products are offered for sale and sold within the jurisdiction of this Court.

2. Upon considering the above submissions and on examining the draft plaint, it is clear that the cause of action has arisen at least partly within the jurisdiction of this Court. Accordingly, this application is allowed by granting leave to the applicant to institute the suit against the respondent before this Court.

3. The applicant also submits that the parties have exchanged correspondence in relation to the dispute between them over the last two years. Therefore, in accordance with Section 12A of the Commercial Courts Act, 2015, this matter is referred to the District Legal Services Authority Chennai for pre-suit mediation. Let the matter be placed before this Court upon receipt of the report from the Legal Services Authority.

16.09.2022

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