



WEB COPY



C.S.(Comm Div) No.35 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2024

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MR.JUSTICE N.SESHASAYEE

C.S (Comm. Div) No.35 of 2023
and O.A.Nos.122 to 125 of 2023
and A.No.1002 of 2023

Paramporul Foundation
Represented by its Managing Director
Mr.K.Mahavishnu
Having its registered office at
No.237/4A, Kulathupalayam
Palangarai Post, Avinashi, Tirupur 641654

... Plaintiff

Vs.

R.Poovarasana
Defendant

...

Prayer: The Civil Suit has been filed under Order VII Rule 1 C.P.C. 1908 r/w Order IV Rule 1 of the Original Side Rules of the Madras High Court, Section 2(1)(C) (xvii) r/w Section 7 of the Commercial Courts Act, 2015 and Section 27, 28, 29, 134, 135 of Trade Marks Act, 1999 and Section 62(2) of the Copyrights Act, 1957 praying (a) to pass a preliminary decree in favour of the plaintiff directing the defendant to render true and proper accounts of the profits arising out of the amount of sales generated by the defendant in



C.S.(Comm Div) No.35 of 2023

respect of their alleged activities bearing the mark "PARAMPORUL" and / or any mark which is deceptively similar and or phonetically identical to the plaintiff's registered Trade Mark "PARAMPORUL"; (b) to grant order of delivery up of any brochures / printed material and or any material bearing "PARAMPORUL" and / or which infringes plaintiff's well known registered trade mark "PARAMPORUL FOUNDATION"; and for costs.

For Plaintiff : Mr.Krishna V.S.

For Defendant : Mr.S.Lakshmi Narayanan

JUDGMENT

The above suit has been resolved amicably between the parties in terms of a Memorandum of Compromise that they have signed along with their respective counsel.

2.In view of the above, the suit is decreed in terms of the Memorandum of Compromise filed by the respective parties on 23.02.2024. There is no order as to costs. Consequently, the connected applications are closed.

22.03.2024
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