



A.No. 3195 of 2023

A.No. 3195 of 2023

in

C.S.No. 9 of 2021

P.T.ASHA, J.

Considering the fact that the defendant / applicant has made a statement in the affidavit filed in support of the condone delay petition that he is not dealing with the plaintiff's product and has also enclosed a copy of his registered trademark and label and also taking into account the fact that the learned counsel who had been engaged earlier, Mr. Vadivel Murugan had passed away, this Court is inclined to condone the delay of 497 days in filing the ex parte decree dated 07.09.2021. The suit is restored to file.

2. The applicant / defendant has undertaken to file an affidavit to the fact that he will only use the trademark under which he is registered, namely, Apex Premium and he shall package his product in the same packaging as enclosed in the typed set of papers filed along



A.No. 3195 of 2023

with the petition. The affidavit with annexures shall be filed by
08.08.2023.

3. Post the matter on 10.08.2023.

19.07.2023

kan



WEB COPY



A.No. 3195 of 2023

P.T.ASHA, J.

kan

A.No. 3195 of 2023

19.07.2023