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C.S. No.737 of 2014 and O.A. Nos.914 and 915 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.11.2023

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THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

C.S. No.737 of 2014 and O.A. Nos.914 and 915 of 2014

M/s.Kumudam Publications Pvt. Ltd.,
represented by its Chairman cum Managing Director
P.Varadarajan .. Plaintiff

/versus/

M/s.Spot Report,
represented by its Owner cum Publisher P.Umashankar .. Defendant

(amended as per order dated 16.08.2019 in Appl.No.4821 of 2019)

Prayer: Civil Suit has been filed under Order IV Rule 1 of the O.S. Rules read with Order VII Rule 1 and Section 26 of the Code of Civil Procedure and Sections 29, 30 and 135 of the Trademarks Act to pass a judgment and decree

a)granting an order of permanent injunction restraining the defendant or their men, agent, staff or any persons claiming through or under them from infringing the plaintiff's registered Trademark "KUMUDAM REPORTER" as registered bearing No.1184312 dated 20th March 2003 in Class '16' issued on 14th July 2005 by the Registrar of Trademark under Section 23(2) read with Rule 62(1) of Trademarks Act 1999;



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b)granting a relief of permanent injunction restraining the defendant or their men, agent, staff or any persons claiming through or under them from passing off the mark "SPOT REPORT" or any Trademark/trading style similar to the plaintiff's trademark "KUMUDAM REPORTER";

c)grant the relief of mandatory injunction directing the defendant to furnish an undertaking that they would refrain from using the mark/trademark "SPOT REPORT" or any other identical or deceptively similar Trademark in respect of any goods or services passing off as plaintiff's mark "KUMUDAM REPORTER";

d)direct the defendant to pay a sum of Rs.30,00,000/- as damages for misleading the public and encashing upon the reputation, trust and goodwill enjoyed by the plaintiff by infringing with the equitable and common law right vested with the plaintiff who is the prior adopter, continual user of the mark "KUMUDAM REPORTER";

e)to pay the costs of the suit.

For Plaintiff: Mr.G.Krishnakumar

For Defendant : Mr.P.Umashankar/party in person

J U D G M E N T

Learned counsel for the plaintiff has made an endorsement in the Court bundle seeking permission of this Court to withdraw this suit. In accordance with the said endorsement, this suit is dismissed as



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withdrawn. Consequently, connected applications are closed. No costs.

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ABDUL QUDDHOSE, J.

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