



Application No.4274 of 2023

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in

C.S.(Com.Div.) DR.No.102073 of 2023

ABDUL QUDDHOSE, J.

MRF Limited,
Greens Road, Chennai.

... Applicant

Vs.

1.Karpaga Vinayagar Tyres,
Salem. and
others.

... Respondents

This application has been filed seeking leave to sue the respondents/defendants.

2. The suit has been filed for infringement of copy right and trade mark. The applicant/plaintiff is having its registered office at Chennai. The first respondent/first defendant had entered into a franchise agreement with the plaintiff, which has also been terminated by the plaintiff. However, according to the plaintiff, the respondents/defendants continue to use their trademark and copy right.

3. As per the franchise agreement, Chennai Courts alone have got



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jurisdiction to decide the dispute between the parties. Part of cause of action has also arisen within the jurisdiction of this Court as the franchise agreement was entered into only at Chennai.

4. Since part of cause of action has arisen only within the jurisdiction of this Court and as per the franchise agreement, Chennai Courts alone have got jurisdiction to decide any dispute between the parties, this Court is inclined to grant leave to institute the suit as prayed for in this application. Accordingly, this application is allowed by granting leave to institute the suit as prayed for in this application. Registry is directed to number the suit if it is otherwise in order.

18.08.2023

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