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C.S.No.15 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 11.09.2023**

CORAM

**THE HONOURABLE MS.JUSTICE P.T. ASHA**

**C.S.No.15 of 2017**

M/s Kumudam Publications Pvt. Ltd  
Rep. by its Chairman & Mining Director,  
Mr.P.Varadarajan  
New No.306 (Old 151) Purasawalkam High Road Chennai -10

... Plaintiff

**Vs.**

1.Mr.J.Devaraj  
  
2.Chennai Offset Printers  
No.19/1, 21/2, Kitabath Khan Bhadur Street,  
Ellis Road,  
Chennai

...Defendants

**Prayer:** Plaint has been filed under Order IV Rule 1 of Original Side Rules and Order VII Rule I and 26 of Civil Procedure Code and Sections 29, 30 and 135 of the Trade Marks Act to grant a judgement and decree on the following terms:-



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A. Granting an order of permanent injunction restraining the defendants or their men, agent, staff or any person's claiming through or under them from infringing the plaintiffs Registered Trade Mark "KUMUDAM REPORTER" as registered bearing No 1184312 dated 20th March 2003 in class '16' issued on 14th July 2005 by the Registrar of Trade Mark under Section 23(2) r/w Rule 62(1) of Trade Mark Act 1999.

B. Granting an order of permanent injunction restraining the defendants or their men, agent, staff or any person/s claiming through or under them from passing off the mark MINNAL REPORT' or any Trade Mark/or Trading Style similar to the plaintiffs Registered Trade Mark "KUMUDAM REPORTER" as registered bearing No 1184312 dated 20th March 2003 in class '16' issued on 14th July 2005 by the Registrar of Trade Mark under Section 23(2) r/w Rule 62(1) of Trade Mark Act 1999.

C. Direct the defendants to pay a sum of Rs 30,00,000/- as damages for misleading the public and encashing upon the reputation, trust, and good will 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/ trade mark "KUMUDAM REPORTER"

D. To pay costs of this suit and



E. Grant such reliefs as this Hon'ble Court may deem fit under the circumstances of the case.

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For Plaintiff : M/s.R.Amizhdhu

For Defendants : Ex parte [D.1 and D.2]

### **J U D G E M E N T**

The learned counsel for the Plaintiff seeks permission of this Court to withdraw the suit and he has also made an endorsement to that effect.

2. In view of the submission and endorsement made by the learned counsel for the Plaintiff, this Suit is dismissed as withdrawn. No costs.

**11.09.2023**

Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

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**P.T. ASHA, J.**

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