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OSA (CAD) No.20 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2025

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MRS.JUSTICE R.KALAIMATHI

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&

C.M.P.Nos.2281, 2285 & 2287 of 2025

M/s. K.A.S. Zainulabdin & Co.

No.196, Angappan Street

Chennai 600 001

rep. by its Partner K.M.Saleem.

.. Appellant

Vs.

1. P.Manicka Chettiar

2. P.M.Pulugaiya

3. M.A.Nagoor Pitchai

4. MAA Annapoorna Transport Agency

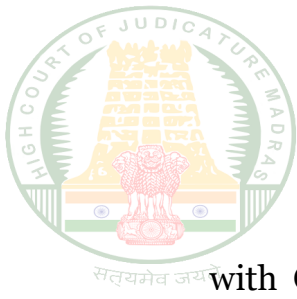
New No.46, Old No.311

Thambu Chetty Street

Chennai 600 001.

.. Respondents

Prayer : Appeal under Section 13 of the Commercial Courts Act, 2015, read



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with Clause 15 of Letters Patent read with Order XXXVI, Rule 9 of O.S. Rules, against the order dated 19.07.2024 passed in C.S.No.453 of 2012.

For Appellant : Mr.Arun C.Mohan

For Respondents : Dr.A.Thiagarajan
Senior Counsel
For M/s. J.Radhakrishnan

JUDGMENT

(Judgment of the Court was delivered
by the Hon'ble Chief Justice)

After the appeal was heard for sometime, without going into the merits of the matter and keeping open all rights and contentions, the following order is passed:

- (a) the impugned order dated 19.07.2024 is quashed and set aside; and
- (b) the matter is remanded for *de novo* consideration.

2. Mr.Arun is requesting for restoring the injunction that appellant had enjoyed for quite some time. Mr.Thiagarajan for respondents states that respondents have stopped using the infringing mark for quite some



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time. Statement is accepted. In view thereof, Mr.Arun is not pressing for restoring the injunction.

3. The appeal is disposed of. All rights and contentions are kept open. There shall be no order as to costs. Consequently, all the interim applications also stand disposed.

(K.R.SHRIRAM, CJ)

(R.KALAIMATHI,J.)

10.02.2025

Index : Yes/No
Neutral Citation : Yes/No

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