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C.S. (Comm Div) No.45 of 2025
and OA.No.102 of 2025 and
A.No.527 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2025

CORAM

THE HON'BLE MR. JUSTICE N. SENTHILKUMAR

**C.S. (Comm Div) No.45 of 2025
and OA.No.102 of 2025 and
A.No.527 of 2025**

M/s.Sangeetha Caterers and Consultants LLP

rep.by its Designated Partners:

1.Mr.P.Rajagopal

2. Mr.P.Suresh

No.7, Gandhi Nagar, 1st main road

4th floor, Adyar, Chennai 600 020

... Plaintiff

Vs.

M/s.Sara Sangeeth Veg Restaurant

rep.by its Proprietor HAFEES AHMED

No.81/8, Kambar Street, Rajakulipet,

Pulipakkam Taluk,

Chengalpattu 603 002.

... Defendant

PRAYER: Complaint filed under Order IV Rule 1 of C.P.C. and Order VII Rule 1 of CPC read with Section 27, 134 and 135 of the Trademarks Act 1999 & Proviso 1 of Section 7 of the Commercial Courts Act, 2015 to grant a judgment and decree on the following terms:

(a) a permanent injunction restraining the defendants, their legal representatives, their successors in business, assigns, franchisees, servants or agents from operating the restaurant business by infringing the plaintiffs



registered trademarks Sangeetha with Veena Mark, SVR Sangeetha, Sangeetha Veg.Restaurant SVR, Sangeetha Veg.Restaurant (with a VEENA MARK), “SVR Sangeetha EXPRESS” and “Sangeetha Veg Express” or by use of confusingly similar or any other mark deceptively and identically similar to the plaintiff's registered trademark or in any other manner whatsoever;

(b) a permanent injunction restraining the defendants, their legal representatives, their successors in business, assigns, franchisees, servants or agents from operating restaurant business by the name “SARA SANGEETH VEG RESTAURANT” or any other similar marks to that of the plaintiff's registered trademark from committing the act of passing off and enabling others in passing off the restaurant business in the deceptively similar mark which is identical to the plaintiff's registered trademark in any manner whatsoever;

(c) the defendant be ordered to surrender to the plaintiff for destruction of all their packing containers, card board boxes, packing materials, covers and carry bags, screen prints, bills, sign boards, billing software, menu cards and any other material in their possession bearing the mark “SARA SANGEETH VEG RESTAURANT” or any other similar marks to that of the plaintiff's registered trademark which is identical to the plaintiff's registered trademark;

(d) directing the defendants to render the rendition of their accounts from the date of commencement of their restaurant till the date of filing of the plaint;

(e) the defendant be ordered to pay to the plaintiffs a sum of



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Rs.10,00,000/- (Rupees Ten Lakhs Only) as damages for their wrongful and illegal act by use of the registered trademark;

(f) for cost of the suit and

(g) for such further and other reliefs

For Plaintiff : Mr.L.Rajasekar

For Defendant : Mr.Vijayan Subramanian

JUDGMENT

This Suit has been filed for permanent injunction restraining the defendant from using the Trade Mark “SARA SANGEETH” in relation to its restaurant business.

2. The learned counsel appearing for the defendant has filed an affidavit today stating that the defendant has already discontinued the use of name/mark “SARA SANGEETH” in connection with its restaurant business and has ceased all operations under the said name. Further, it is stated that the defendant undertakes that it shall not hereafter, in future, use the name/mark “SARA SANGEETH” or any other deceptively similar mark in relation to its business, whether directly or indirectly.



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3. There shall be a decree in terms of the aforesaid affidavit filed by the defendant dated 03.09.2025 and the affidavit filed by the defendant shall form part of the decree.

4. Suit is decreed on above terms. No costs. Consequently, connected pending applications shall stand closed.

03.09.2025

Index : Yes/No
Speaking Order : Yes / No
Neutral Citation Case: Yes / No
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N. SENTHILKUMAR, J.

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