



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2025

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THE HONOURABLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

C.S.(Comm.Div)No.52 of 2025

and

O.A.Nos.156 & 157 of 2025

and

A.Nos.809 & 810 of 2025

Hatsun Agro Product Ltd.,
Represented by its authorised signatory,
Mr.Syed Irfan.
Having registered office at
No.41(49), Janakiram Colony Main Road,
Janakiram Colony, Arumbakkam,
Chennai - 600 106.

... Plaintiff

-VS-

M/s.Arogya Gluten Free Foods,
Represented by its proprietor Ayush Maan,
137/9 Kishan Garh,
Vasant Kunj, New Delhi,
Delhi - 110 070

... Defendant

For Plaintiff

: Mr.Shubhan Matheu George
for M/s.Surana & Surana

For Defendant

: Ms.Swetha Naidu
for M/s.Antony R.Julian



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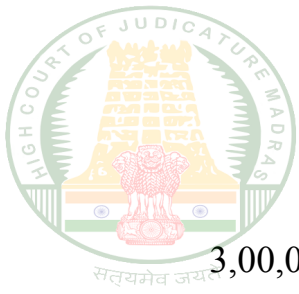
Prayer: Plaintiff is filed under Order VII Rule 1 CPC read with Order IV Rule 1 of High Court O.S.Rules and Section 134 and 135 of the Trademarks Act, 1999 and Section 7 of the Commercial Courts Act, 2015, prays for judgment and decree on the following terms:

A. For a permanent injunction restraining the Defendant, by himself, or through his servants, agents, legal representatives, distributors or anyone claiming through him from in any manner infringing the Plaintiff's registered trademark AROKYA by using the mark AROGYA GLUTEN FREE FOODS or any other deceptively similar mark in any manner whatsoever causing infringement to the Plaintiff's registered trademark as described in the Schedule to the Plaintiff.

B. For a permanent injunction restraining the Defendant, by himself, or through his servants, agents, legal representatives, distributors or any one claiming through him from in any manner whatsoever from passing off and enabling others to pass off the Defendant's business as that of the Plaintiff's by using the mark AROGYA GLUTEN FREE FOODS or any other mark or trade name which is deceptively similar or identical to the Plaintiff's trademark AROKYA in any manner whatsoever.

C. Directing the Defendant to surrender to the Plaintiff all the products and stocks with the offending labels, together with the blocks, dies, name boards, sign boards, etc., for destruction.

D. Directing the Defendant to render true and faithful accounts of the profits earned by it through the sale of the products bearing the offending trademark labels and directing payment of such profits to the Plaintiff.



E. Directing the Defendant to pay to the Plaintiff a sum of Rs. 3,00,000/- as damages for committing acts of infringement of trademark and passing off.

F. Grant such further or other reliefs.

ORDER

The suit was filed seeking remedies in respect of alleged trade mark infringement and passing off.

2. Parties have reached a settlement and submitted Settlement Agreement dated 14.07.2025.

3. The said Settlement Agreement has been signed by Mr.Ayush Maan, sole proprietor of Arogya Gluten Free Foods, the defendant, and by Mr.S.Syed Irfan, Senior Officer-Legal, of the plaintiff. In the settlement agreement, parties have agreed that the first party, Arogya Gluten Free Foods, would change its business name, trade mark and trade name on or before 1st February, 2026. The second party / plaintiff has agreed not to make any further claims against first party.



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4. I see no legal impediment to the disposal of the suit in terms of the Settlement Agreement.

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5. Therefore, C.S.(Comm.Div) No.52 of 2025 is decreed in terms of Settlement Agreement dated 14.07.2025, which shall form an integral part of the decree. In view of such settlement, there will be no order as to costs. Consequently, connected O.A.Nos.156 & 157 of 2025 and A.Nos.809 and 810 of 2025 are closed.

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