



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 14.07.2025

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THE HONOURABLE **MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

C.S.(Comm.Div.) No.77 of 2025
and O.A.No.278 of 2025

M/s. Sangeetha Caterers and Consultants LLP
Represented by its Designated Partners,
1.Mr.P.Rajagopal
2.Mr.P.Suresh
Registered Office at No.7, Gandhi Nagar,
1st Main Road, 4th Floor, Adyar, Chennai-600 020. ... Plaintiff
-VS-

M/s. New Hotel Sangeetha
Represented by its Proprietor
No.3/2, Pillayar Koil Street,
Jafferkanpet, Chennai 600 083. ... Respondent

Prayer: Complaint is filed under Order IV Rule 1 of the Original Side Rules and Order VII Rule 1 of CPC Read With Sections 27, 134 & 135 of the Trade Marks Act, 1999 and Proviso 1 of Section 7 of the Commercial Courts Act, 2015, praying to grant a judgment and decree on the following terms:-

(A). A permanent injunction restraining the defendant, their legal representatives, their successors in business, assigns, franchisees, servants or agents from operating the restaurant business by infringing the plaintiff's registered trademarks "SVR SANGEETHA", "SVR SANGEETHA VEG.



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RESTAURANT”, “SANGEETHA (with a VEENA MARK)”, “SANGEETHA VEG. RESTAURANT WITH VEENA MARK”, “Sangeetha Veg Express (with a Veena Mark)” and “SVR Sangeetha 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 defendant, their legal representatives, their successors in business, assigns, franchisees, servants or agents from operating restaurant business by the name “NEW HOTEL SANGEETHA”, “HOTEL SANGEETHA (Pure Vegetarian)” and “HOTEL SANGEETHA PURE VEG” 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 “NEW HOTEL SANGEETHA”, “HOTEL SANGEETHA (Pure Vegetarian)” and “HOTEL SANGEETHA PURE VEG” 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 defendant 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 plaintiff a sum of 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.

For Plaintiff : Mr.P.Rakesh Kumar
for Mr.L.Rajasekar

JUDGMENT

Learned counsel for the plaintiff submits that he has been instructed to withdraw the suit in view of the defendant changing the impugned trade mark/trade name. He has filed a memo to that effect. Therefore, C.S.(Comm.Div)No.77 of 2025 is dismissed as withdrawn without any order as to costs. Consequently, connected original application stands closed.

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SENTHILKUMAR RAMAMOORTHY,J

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