



WEB COPY

A No. 1536 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-12-2025

CORAM

**THE HONOURABLE MR JUSTICE SENTHILKUMAR
RAMAMOORTHY**

A No. 1536 of 2025

in

C.S(COMM DIV) No. 82 of 2025

Aravind Laboratories
Rep by its Partner and Joint Proprietor
of the Registered Trademark
Mr.R.Rajagopal Residing at Old No.
82, New No.76, Dr. Ranga Road,
Mylapore, Chennai 600004.

Applicant(s)

Vs

Mr.Natwarsingh Parbatsingh Chouhan

Respondent(s)

Prayer:

To permit the Applicant/Plaintiff to combine causes of action
infringement of Registered Trademark and Passing off.

For Applicant(s): M/s.Gladys Daniel

For Respondent: Mr.Sai Srujan Tayi

ORDER

The plaintiff seeks to combine causes of action of infringement and
passing off in the suit.



2. The learned counsel for the plaintiff relied on Section 134(2) of the Trade Marks Act, 1999, to contend that the suit may be instituted in the place where the plaintiff resides or carries on business at the time of institution thereof. After pointing out that the plaintiff is a registered partnership firm and that Mr.R.Rajagopal, Partner, resides at Chennai, learned counsel submits that the action for infringement clearly lies before this Court. Because the action for passing off arises out of the same bundle of facts, learned counsel submits that it is just and appropriate to combine the causes of action. Learned counsel also refers to and relies upon Clause 14 of the Letters Patent in this connection.

3. Learned counsel for the defendant opposes this contention on the ground that the action for infringement is not maintainable, in view of the defendant being a registered proprietor. He further submits that the defendant does not undertake commercial sale within the jurisdiction of this Court. He also submits that the defendant carries on business at Mumbai.

4. In a situation where the Court has jurisdiction in respect of at least one of the causes of action, Clause 14 of the Letters Patent enables the Court to combine the causes of action and entertain a consolidated suit in respect thereof. As contended by learned counsel for the plaintiff, both the actions for



infringement and passing off arise out of use of the impugned word and device marks by the defendant.

WEB COPY

5. Given the fact that the action for infringement is maintainable before this Court under Section 124(2) of the Trade Marks Act, it is just and appropriate to combine the causes of action, so as to avoid multiplicity of proceedings.

6. For the reasons aforesaid, the Application to combine the causes of action is allowed. No costs.

15-12-2025
(1/4)

Jeni



WEB COPY

A No. 1536 of 2025



SENTHILKUMAR RAMAMOORTHY J.

Jeni

**A No. 1536 of 2025
in C.S(COMM DIV) No. 82 of 2025**

**15-12-2025
(1/4)**