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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2025

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

A.No.2709 of 2025
in C.S.(Comm.Div.) No.SR.72874 of 2025

TMY Products LLC
1107 Industrial PKWY, Suite A, Brick, New Jersey 08724,
United States of America and another ... Applicants
-VS-

Sapna Kumari Sole Proprietrix of Niyaara Cosmetics
S.No.54, Kirtane Baug, Nr Over Bridge, Mundhwa, Pune,
Maharashtra 411 036 also at Gat 300 Off MIDC Road, Pune,
Maharashtra 410 501. and another ... Respondents

For Applicant : Ms.Aanchal Nichani

ORDER

In a proposed suit seeking relief in respect of alleged trade mark infringement and passing off, the intending plaintiff seeks leave to sue the respondents before this Court. In the draft plaint and affidavit in support of this application, it is stated that a part of the cause of action has arisen within the jurisdiction of this Court because the defendants are selling the



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plaintiff's products to customers in Chennai. The intending plaintiff has also placed on record evidence of such sale.

2. Upon considering the averments in the draft plaint and in the affidavit in support of this application, it appears that at least a part of the cause of action has arisen within the jurisdiction of this Court. Therefore, this application is allowed by granting leave to the applicant to sue the respondents before this Court. Consequently, the Registry is directed to number the suit, if otherwise in order.

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