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OSA (CAD) No.144 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2025

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

OSA(CAD) No.144 of 2021
and CMP Nos.20922 of 2021
and CMP Nos.18382 & 18387 of 2024

Chennai Ananda Bhavan
Kinfra P.O. Muringoor Koratti,
Cochin-Thrissur Highway NH-47,
Thrissur- 680 309

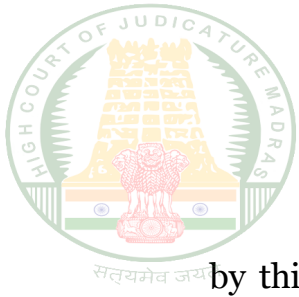
.. Appellant

Vs.

M/s.Adyar Ananda Bhavan Sweets & Snacks
Represented by its partner K.T.Venkatesan,
Muthulakshmi Bhavan,
No.9, M.G.Road,
Shastri Nagar, Adyar,
Chennai -600 020

.. Respondent

Prayer : Appeal under Order 13(1) of Commercial Court Act of the Original
Side Rules read with Clause 15 of Letters Patent against the order dated
04.08.2021 in application No.2178 of 2021 in C.S.No.982 of 2017 passed



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by this Court, and consequently allow the original side appeal and render justice.

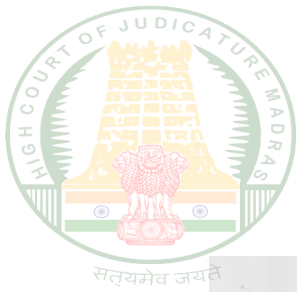
For Appellant : Mr.V.S.Kishore Kumar

For Respondent : Ms.Mithreyi Kasthurirangan
for Mr.K.Harishankar

JUDGMENT

(Judgment of the Court was delivered
by the Hon'ble Chief Justice)

The parties tender a memorandum of compromise dated 12.03.2025, which is signed by the parties and their respective advocates. Counsel for appellant and counsel for respondent identified the signature of appellant and partner of respondent. The same is taken on record and marked 'X' for identification. For ease of reference, the same is scanned and reproduced below:



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21/3/25



**IN THE HIGH COURT OF JUDICATURE AT MADRAS
(APPELLATE JURISDICTION)**

O.S.A. (CAD). No. 144 of 2021

CHENNAI ANANDA BHAVAN
Kinfra P.O, Muringoor Koratti,
Cochin-Thrissur Highway NH-47,
Thrissur - 680309

...APPELLANT

v.

M/s. ADYAR ANANDA BHAVAN SWEETS & SNACKS
Rep. by its Partner K.T.Venkatesan
Muthulakshmi Bhavan, No. 9, M.G.Road,
Shastri Nagar, Adyar,
Chennai - 600 020

...RESPONDENT

MEMO OF COMPROMISE

1. This memo of compromise is signed between Mr. Feroze V.K., Sole Proprietor of the Appellant herein, and Mr. K.T.Venkatesan, Partner of the Respondent herein.
2. The Appellant states that presently he is in the restaurant business in the state of Kerala. The Appellant proposes to, forthwith, use any of the marks mentioned in the Schedule herein instead of the mark / device "**Chennai Ananda Bhavan**", which is alleged to be infringing the Respondent's trademarks. The Appellant also reserves its rights to use any other marks which shall not bear similarities to the marks that are being used by the Respondent i.e., "**Adyar Ananda Bhavan**" and "**A2B**".
3. In light of the above, the Respondent undertakes to withdraw any and all proceedings pending at any stage before any fora, including any execution

[Signature]

**For ADYAR ANANDA BHAVAN
SWEETS & SNACKS**

[Signature]
Partner (s)



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2. Appeal is disposed of. There shall be no order as to costs.

Consequently, interim applications also stand closed.

3. We clarify that this Court has not certified the name or label or logo proposed to be used by appellant has our approval.

4. The compromise is taken on record, in view of the settlement arrived at between the parties.

(K.R.SHRIRAM, CJ)

(MOHAMMED SHAFFIQ.J.)

21.03.2025

Index : Yes/No
Neutral Citation : Yes/No

mrn



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OSA (CAD) No.144 of 2021

THE HON'BLE CHIEF JUSTICE
AND
MOHAMMED SHAFFIQ.J.

(mrn)

OSACAD) No.144 of 2021
and CMP Nos.20922 of 2021
and CMP Nos.18382 & 18387 of 2024

21.03.2025