



OSA (CAD) No.114 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2025

CORAM :

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

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

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D.R.Raanka Bros
Door No.151, 1st Floor,
N.S.C. Bose Road,
Chennai – 600 079
rep by its Partner, Kapil Ranka.

.. Appellant

Vs

Om Prakash
trading as Sri Mahalakshmi DRR Velli Maligai,
329, Kamaraj Street, Villupuram - 605 602.

.. Respondent

Prayer : Appeal under Section 13(1A) of the Commercial Courts Act, 2015
to set aside the judgment and decree dated 24.5.2023 passed in
C.S.(Comm.Div) No.444 of 2019.

For Appellant : Mr.S.Rajesh Ramanathan

For Respondent : Mr.A.K.Rajaraman



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JUDGMENT
(Delivered by by the Hon'ble Chief Justice)

The appeal impugns an order and judgment pronounced on 24.5.2023 by a learned Single Judge of this court. The suit came to be filed because of respondent in the appeal, who was defendant in the suit, using a trade name “Shri Mahalakshmi D.R.R. Velli Maligai”.

2. Today, Shri Rajaraman, appearing for respondent, states, on instructions, that respondent, i.e., original defendant in the suit, shall not use “D.R.R.” in his trade name. Shri Rajaraman states that the trade name will be modified to “Shri Mahalakshmi Velli Maligai”. Counsel further states that application made for registration of “D.R.R.” with the trade mark authorities shall also be withdrawn and an application for withdrawal shall be filed within four weeks. Statement accepted as an undertaking.

3. Shri Rajaraman further states that respondent shall have the words “D.R.R.” deleted from the trade name within six months from today. The same is accepted as undertaking to this court.



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4. In view of these statements made by Shri Rajaraman, which are accepted as an undertaking to this court by respondent and each of its partners, Shri Rajesh Ramanathan states the appeal may be disposed of.

Appeal is disposed of accordingly. There shall be no order as to costs. Consequently, C.M.P.Nos.19824 and 19828 of 2023 are closed.

(K.R.SHRIRAM, C.J.)

(SENTHILKUMAR RAMAMOORTHY, J.)

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THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY, J.

(sasi)

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