



C.S. (Comm.Div.) No.220 of 2025, O.A. Nos.865 to & 867 of 2025 and A.No.4292 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 26.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

C.S. (Comm.Div.) No.220 of 2025, O.A. Nos.

865 to & 867 of 2025 and A.No.4292 of 2025

M/s.Kaleesuwari Refinery Private Limited

... Plaintiff

Versus

K.P.Castor Oil Works

... Defendant

Prayer: Commercial Suit filed under Order VII Rule 1 of C.P.C. read with Order IV Rule 1 of Original Side Rules and Sections 134 and 135 of the Trade marks Act, 1999 read with Sections 11 & 22 of the Designs Act, 2000 to grant a Judgment and Decree in favour of the plaintiff on the following terms:

a)a permanent injunction restraining the defendant, their men, agents, associates and/or assignees or any person claiming rights from them from infringing the plaintiff's reputed and well known registered Trade mark "DHEEPAM" by using the offending Trade mark "DHEEPASAKTHI OIL" or any mark or word deceptively similar to the aforesaid Trade Mark of the plaintiff's for lamp oil marketed by the defendant, their men, agents, associates and/or assignees or any person claiming rights from the defendant;

b)a permanent injunction restraining the defendant its men, agents, associates and / or assignees or any person claiming rights from their from



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passing-off their inferior product, as that of the plaintiff's "DHEEPAM"
Lamp oil by using the offending words "DHEEPASAKTHI OIL" or any
other words or mark and offending packing material and pouch deceptively
similar to the plaintiff's trade mark "DHEEPAM";

c)a permanent injunction restraining the defendant, their men, agents,
assignees, dealers and/or retailers from using the bottle design for their
product "DHEEPASAKTHI OIL" by resorting to fraudulent imitation of
plaintiff's Registered Design No.245127, dated 07.05.2012 in respect of the
container/bottle used by the plaintiff for marketing/selling "DHEEPAM"
lamp oil;

d)For preliminary decree directing the defendant to render true
account of profits made by the defendant by using the aforesaid offending
mark/label of "DEEPASAKTHI OIL";

e)For ensure, removal or obliteration from all infringing goods,
materials and articles in the possession or control of the defendant with the
offending mark/label and pouches deceptively similar to the plaintiff's
"DHEEPAM";

f)To pass an order of declaration, declaring the plaintiff registered
trade mark "DHEEPAM" as "well known mark" within the meaning of
Section 2(1)(zg) read with Section 11(6) of the Trade Marks Act, 1999 along
with a direction to the registrar of Trademarks to notify the mark
"DHEEPAM" on the register of well-known marks;

g)To pay the plaintiff the costs of the suit.

For plaintiff : Mr.Vijayan Subramanian

For defendant : Mr.Sanjay J.Rajpurohit



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JUDGMENT

A Joint Memorandum of Compromise dated 25.10.2025 is filed by both the parties stating that the defendant has changed their brand name as “K.P.JAGASAKTHI OIL” from the previous name “DHEEPAM”.

2.This suit is decreed in terms of the Memorandum of Compromise dated 25.10.2025, which shall form part of this judgment. No costs. Consequently, connected applications are closed.

26.11.2025

vga



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N. SENTHILKUMAR, J.

vga

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