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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2025

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

A.No.5756 of 2024
in C.S(Comm.Div)No.221 of 2024

B.L.Bengani and another

... Applicants

-VS-

1.M/s.Prabitha Polymers

Nagaramgere Village, Bangalore Road,

Challakere, Chitradurga - 577 522

Karnataka State. Rep. by its Partner Mr.S.Aditya and another

.. Respondents

Prayer: Application filed under Order XIV, Rule 8 of O.S.Rules Read with Clause 14 of Letters Patent and Order II Rule 3 & Section 151 of C.P.C., 1908, praying to permit the applicants/plaintiffs to combine causes of action for infringement of Trade Mark and passing off prayed in the same suit.

For Applicants : Mr.P.R.Raman, Senior Counsel
for Mr.T.D.Selvan Babu

For Respondents: Ms.Shamilee Rajkumar
Mr.M.Adeeb Mohammed

SENTHILKUMAR RAMAMOORTHY,J.



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ORDER

This application is filed to combine causes of action. The application is necessitated by the fact that the suit is both for alleged infringement of trade mark and passing off. The respondents have filed a common counter primarily dealing with the allegations of infringement and passing off. In the interest of justice, it is necessary that the reliefs claimed by the plaintiffs be disposed of in a consolidated proceeding. Therefore, A.No.5756 of 2024 is allowed by permitting the plaintiffs to combine causes of action.

26.02.2025

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