

Arbitration Application Nos.1327, 1328 & 1329 of 2025 and Original Application No.947 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Arbitration Application Nos.1327, 1328 & 1329 of 2025
and
Original Application No.947 of 2025

M/s.Kabini Foods,
A Partnership Firm,
represented by its Authorised Signatory
Mr.Karthi Jayakumar,
No.99, Thiruneeralai Road,
Nagalkeni, Chrompet,
Chennai - 600 044. Applicant in all applications

Vs.

1.M/s.Tiruchengode Dheeran Groups
A Partnership firm having registered
office at No.525, Kuppanna Street,
Perundurai Road, Near PP Scan,
Erode - 638 011.

2.P.Vasanth

3.P.Poomuthu Respondents in all applications

PRAYER

Arb Appln No. 1327 of 2025

To direct the respondents to render full, true and proper accounts, of all sales, revenues and business carried out under the applicant's brand name from July 2024 till the date of filing of this Application and to disclose details of inventories stock and profits earned therefrom to the Applicant.

Arb Appln No. 1328 of 2025



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To furnish security for a sum of INR 9,81,407/- being equivalent to the outstanding royalty dues payable to the Applicant for the period from July 2024 to December 2024, amounting to Rs.7,85,067/- together with interest at 18% thereon, as well as Rs.1,96,340/- towards the unpaid amount for masalas supplied to the outlet, along with 18% interest on the said amount, until realization in full and that in default of furnishing such security, the Respondents assets be liable to attachment.

Arb Appln No. 1329 of 2025

To direct the Respondents, their partners, agents, servants, franchisees, licensees, representatives or any persons claiming through or under them to forthwith remove, take down and destroy all signboards, hoarding, name boards, display boards, advertisement, promotional material and any form of physical or digital representation containing the Applicant brand name “KHALIDS BIRIYANI” from their premises situated at No.525, Kuppanna Street, Perundurai Road, Erode, 638 011 and form any other location offline or online.

OA No. 947 of 2025

To grant an order of ad interim injunction restraining the Respondents, their partners, agents, servants, franchisees, licensees, representatives or any persons claiming through or under them, from in any manner using the Applicants brand name KHALIDS BIRIYANI or any other deceptively similar trademark/label/logo including but not limited to the Applicants trademark, logo menus, bill books, packaging, advertising materials or any other intellectual property belonging to the Applicant in connection with their business or otherwise in any manner whatsoever.

For Applicant : Mr.M.S.Bharath
[in all cases]

COMMON ORDER

Heard Mr.M.S.Bharath, learned counsel for the applicant in all these applications and carefully perused the materials available on record.

2. This Court found that the trigger notice under Section 21 of the Arbitration and Conciliation Act, 1996, has not been issued till date



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and the applications do not contain any undertaking that the applicant is intending to proceed with the arbitration proceedings. When the same was pointed out to the learned counsel for the applicant, he submitted that they will issue the trigger notice and file fresh application with the same cause of action.

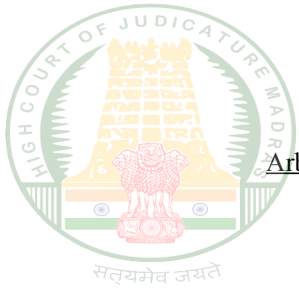
Considering the above, all these applications are closed with liberty to the applicant to move a fresh application after issuing the trigger notice.

25.09.2025

NCC:Yes/No
Index:Yes/No
Speaking Order/Non-speaking Order
gm

N.ANAND VENKATESH, J.

gm



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