



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

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CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

CS No. 202 of 2007

M/s Thalappakatti Naidu Ananda
Vilas Biriyan Hotel,
No.15, East Car Street, Dindigul,
Rep.By Its Partner Mr N.Dhanabalan

..Plaintiff(s)

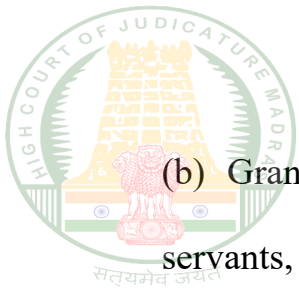
Vs.

M/s Thalapakattu Chicken
Biriyan
83, Thana Street, Purasalwakkam
Chennai – 600007.

..Defendant(s)

The suit filed under Order VII Rule 1 of CPC read with Order IV Rule 1 of High Court OS Rules and Section 134 and 135 of the Trade Marks Act, 1999, praying for the following reliefs:-

(a) Granting a permanent injunction restraining the defendant, their men, servants, agents or anyone claiming through or under them from in any manner, infringing the plaintiffs' Trade Mark and Trading style 'Thalappakatti Biriyan Hotel' by using the offending Trade Mark and Trading style 'Thalappakattu Chicken Biriyan' or any other mark or marks which are similar or in any way deceptively similar to or a colourable imitation of the plaintiff's Trade Mark 'Thalappakatti Biriyan Hotel'.



(b) Granting a permanent injunction restraining the defendant, their men, servants, agents or anyone claiming through or under them from in any manner passing off their food products as that of the plaintiff by using the offending Trade Mark and the trading style 'Thalappakattu Chicken Biriyani' as and for the celebrated food products of the plaintiff with the Trade Mark 'Thalappakatti Biriyani Hotel' or by using any other Trademark which is similar or deceptively similar to that of the plaintiff's trade mark 'Thalappakatti Biriyani Hotel'.

(c) Directing the defendant to render a true and faithful account of the profits earned by them through the sale of food products bearing the offending trade mark 'Thalappakattu Chicken Biriyani' and directing payment of such profits to the plaintiff by way of damages for passing off committed by the defendant.

(d) Directing the defendants to surrender to the plaintiff the entire stock of unused offending goods with Trade Mark 'Thalappakattu Chicken Biriyani' together with cartons, strips, brochures, printing blocks etc. bearing the offending Trademark for destruction.

(e) Directing the defendant to pay the plaintiff the costs of the suit.

For Plaintiff(s): Mr. Vijayan Subramanian
for Mr. E. Manoharan

For Defendant(s): No appearance



J U D G M E N T

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The learned counsel for the plaintiff submits that by efflux of time, the suit requires no further adjudication as the defendant had changed the Trade Mark.

2. Recording the same, nothing further to be adjudicated in the suit and accordingly, the suit stands dismissed. No order as to costs.

12-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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K.KUMARESH BABU, J.

Maya

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