



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2026

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 3192 of 2026

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1. Watertee (India) Private Limited
Rep. by its MD and CEO, Mr.Salil
Nagesh Dalal, MAPA Centre No. 766
and 767, 3rd Floor, Puliyakulam Road,
Papanaickenpalayam, Coimbatore-37.

Petitioner(s)

Vs

1. S.R.Polymers
Rep. by its Partner, Kishorkumar, Plot
No.297, Vivekanand Indl Park,
Kubadthal, Kuha, Ahmedabad,
Gujarat-33.

Respondent(s)

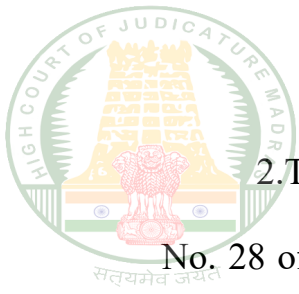
PRAYER

Civil Revision Petition filed under Article 227 of the Constitution of India to direct the Commercial Court, (D.J.Cadre), Coimbatore to dispose off, at the earliest, the Petitioners Application in IA No. 3/2025 pending in COS No. 28/2025 seeking interim injunction against the Respondent from infringing Petitioners registered trademark and passing off.

For Petitioner(s): Mr.Vigneshwar Elango

ORDER

This Civil Revision Petition has been filed seeking a limited relief.



2. The petitioner seeks for early disposal of I.A. No. 3 of 2025 in C.O.S. No. 28 of 2025 pending on the file of the Commercial Court, Coimbatore. The petitioner claims that the aforesaid interlocutory application was argued by both the petitioner's counsel as well as the respondent's counsel before the trial Court. However, till date, orders have not been pronounced. Eventhough the suit has been stayed under Section 124 of the Trade Marks Act, there is no prohibition for the trial Court to decide the interlocutory applications as per the said section. However, till date, I.A. No. 3 of 2025 filed by the petitioner has not been disposed of by the Commercial Court, Coimbatore.

3. Section 124 of the Trade Marks Act reads as follows:

" 124. Stay of proceedings where the validity of registration of the trade mark is questioned, etc.—

(5) The stay of a suit for the infringement of a trade mark under this section shall not preclude the court from making any interlocutory order (including any order granting an injunction, directing account to be kept, appointing a receiver or attaching any property), during the period of the stay of the suit. "

4. As seen from the aforesaid section, the stay of the suit for infringement of the trade mark shall not preclude the Court from making any order (including any order granting an injunction, directing account to be kept, appointing a



receiver or attaching any property), during the period of stay of the suit.

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5. I.A. No. 3 of 2025 has been filed by the petitioner, who is the plaintiff in the suit, seeking for an order of interim injunction to restrain the respondent/defendant from infringing the petitioner's trade mark and from passing off. Therefore, there is no prohibition for the trial Court to dispose of I.A. No. 3 of 2025. Since I.A. No. 3 of 2025 is pending for a long time and since the petitioner has claimed before this Court that the arguments have already been advanced by both the counsel for the petitioner as well as the respondent's counsel, this Court has to necessarily direct the trial Court to pronounce orders in I.A. No. 3 of 2025 within a time frame to be fixed by this Court.

6. Accordingly, this Court directs the Commercial Court, (D.J. Cadre) Coimbatore, to pronounce orders in I.A. No. 3 of 2025 in C.O.S. No. 28 of 2025 within a period of four weeks from the date of receipt of a copy of this order.

7. With the aforesaid directions, this Civil Revision Petition is disposed of. No Costs.

10-06-2026



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

The Commercial Court, (D.J. Cadre), Coimbatore.



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ABDUL QUDDHOSE J.

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