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O.A. No.821 of 2025
in C.S. (Comm.Div.) No.208 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2026

CORAM

THE HONOURABLE MR.JUSTICE **SENTHILKUMAR RAMAMOORTHY**

**O.A. No.821 of 2025
in C.S. (Comm.Div.) No.208 of 2025**

1.Mr.A.D.Padmasingh Isaac,
Proprietor,
Aachi spices and Foods,
Old No.4, New No.181/1,
6th Avenue, Thangam Colony,
Anna Nagar, Chennai – 600 040.

2.Aachi Masala Foods Private Limited,
No.1926, 34th Street, I Block,
Ishwarya Colony, Anna Nagar West,
Chennai – 600 040
represented by its Director
Mr.Ashwin Pandian

3.M/s.Flora Foods,
A Partnership Firm
No.1926, 34th Street, I Block,
Ishwarya Colony, Anna Nagar West,
Chennai – 600 040
represented by its Partner
Mrs.Thelma Isaac

.. Applicants

VS

Sri Aachi Mess,
Near Toll Plaza,
Py-Pass, Ulundurpet – 606 107.

.. Respondent

For Applicants : Ms.Gladys Daniel



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ORDER

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On 18.08.2025, an order of ad interim injunction was issued in O.A.No.821 of 2025 and notice was issued to the respondent. The plaintiff has filed an affidavit of service dated 31.10.2025 stating that notice was served on respondent on 10.10.2025. The postal acknowledgment card evidences service of notice on the respondent. The respondent entered appearance through M/s.Abdul Saush and K.Balamurugan. Said advocates have not filed vakalat.

2. At the hearing on 18.08.2025, the following was recorded as reasons for the grant of ad interim injunction relief:

‘2. By relying on legal use certificate in respect of the registered device mark containing the element AACHI under Trade Mark No.2965624, learned counsel submits that the plaintiffs have applied the mark AACHI in relation to the restaurant business since the year 2014. She further submits that the plaintiffs issued cease and desist notice dated 13.05.2025 upon noticing that the defendant had started a restaurant under the name and style of SRI AACHI MESS. Although the cease and desist notice was received by the defendant on 26.05.2025, it is



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stated that no reply was received.

3. The documents on record indicate *prima facie* that the plaintiffs have adopted and used trade marks with the prominent element AACHI both in relation to spices and restaurants for a considerable period of time. The track consignment report relating to the cease and desist notice shows that such notice was received on 26.05.2025 by the defendant, but was not replied to. In these circumstances, a *prima facie* case is made out. Therefore, there will be an order of interim injunction in O.A.No.821 of 2025 until 15.09.2025.'

3. Considering the aforesaid and the non-appearance of the respondent, the order of ad interim injunction granted in O.A.No.821 of 2025 is made absolute and the said application is disposed of.

04.02.2026

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SENTHILKUMAR RAMAMOORTHY,J.

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