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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-02-2026

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THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

**C.S(COMM DIV) No. 217 of 2025
and O.A.Nos.852 & 853 of 2025
and A.No.4254 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 - 600040
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 - 600040 Represented by its Partner
Mrs. Thelma Isaac

..Plaintiff(s)

Vs

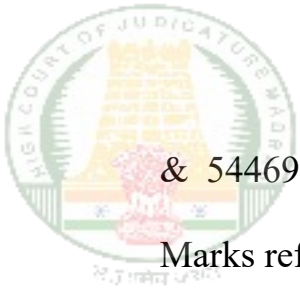
Hari's Achi Mess
No.241, Dr. Rajendra Prasad Road,
Tatabad, Coimbatore-641012
and also at
No.415, rt, 7th Street,
Coimbatore- 641012

..Defendant(s)



PRAYER: Complaint filed under Order VII Rule 1 CPC Read With Order IV Rule 1 OS Rules Read With Sections 27(2), 29, 134 & 135 of the Trade Marks Act, 1999, praying to the judgment and decree as follows:

(a) Granting a permanent injunction, restraining the Defendant, by himself, his servants, agents, distributors, or anyone claiming through him from manufacturing, selling, advertising and offering for sale or providing services using the name HARI'S ACHI MESS / ஹரி'ஸ் ஆச்சி மெஸ்' or any other similar Trade Mark name or similar sounding expression in any hotels, restaurant services, media, websites, mobile applications, social media platforms and internet advertising and use the same in name board, invoices, letter heads and visiting cards, websites, mobile applications, social media platforms and internet advertising or by using any other trade mark/name which is in any way visually or deceptively or phonetically similar to the 1st Plaintiff's trade mark / name AACHI / Aachi / AACHI CHETTINAD RESTAURANT / AACHI KITCHEN / AACHI NAMMA KITCHEN / AACHI BHAVAN and use the same in pouches, packets or use the mark in invoices, letters heads and visiting cards, website and internet advertising or part of their restaurant name any other trade literature or Menu card by using any other trade mark which is in any way visually, or phonetically similar to the Plaintiffs' registered Trade Mark Nos. 838786, 1116254, 1479159, 1715718, 2965624, 5275581, 5274680

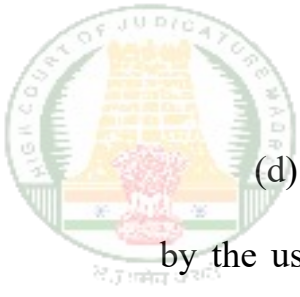


& 5446987 or in any manner infringing the 1st Plaintiff's registered Trade Marks referred herein.

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(b) Granting a permanent injunction restraining the Defendant by itself, its agents or servants or anyone claiming through or under him any business marketing, selling advertising using in trade literature, menu cards, invoices, name boards, websites, mobile applications, social media platforms and internet advertisements the mark / name HARI'S ACHI MESS / ஹரி'ஸ் ஆச்சி மெஸ்' in relation to the Restaurant services or with respect to or any other food preparation or on any other business the impugned trademark/name which is in any manner deceptively or phonetically confusingly similar to the Plaintiffs Trade Mark / name AACHI / AACHI CHETTINAD RESTAURANT / AACHI KITCHEN / AACHI NAMMA KITCHEN / AACHI BHAVAN or in any other manner pass off their hotel, business or goods as and for that of the Plaintiffs.

(c) Directing the Defendant to surrender to the Plaintiffs all the packing material, cartons, advertisement materials and hoardings, letter-heads, visiting cards, office stationery and all other materials containing / bearing the name HARI'S ACHI MESS / ஹரி'ஸ் ஆச்சி மெஸ்' or other identical trade mark used in the pouches and packets bearing the word AACHI / AACHI CHETTINAD RESTAURANT / AACHI KITCHEN / AACHI NAMMA KITCHEN / AACHI BHAVAN.



(d) Directing the Defendant to render an account of profits made by them by the use of the impugned trademark name HARI'S ACHI MESS / ஹரி'ஸ் ஆச்சி மெஸ்' on the service referred and decree the suit for the profits found to have been made by the Defendants, after the Defendants has rendered accounts.

(e) Directing the Defendants to pay to the Plaintiffs the costs to the suit.

For Petitioner(s): Ms.Gladys Daniel
for M/s.C.Daniel

For Respondent(s): M/s.G.K.Muthu Kumaar

A.Ram Kumar

I.Arun Kumar

JUDGMENT

The suit was filed seeking remedies in respect of alleged trade mark infringement and passing off. By order dated 29.10.2025, Justice N.Kirubakaran, former Judge of this Court, was appointed as the Mediator. In course of mediation, parties reached a settlement. Learned Mediator has submitted a report along with the copy of the agreement reached between the parties. The agreement has been executed on behalf of all three plaintiffs by Mr.B.Gnana Sambandham, General Manager Legal and Statutory. A partner of the defendant has signed the agreement on behalf of the defendant.



2. In the settlement agreement, the defendant has admitted that the first plaintiff is the registered proprietor of the trade mark AACHI and that the second and third plaintiffs are licensees. It is also agreed that the defendant may continue to use the trade marks mentioned at recital C in respect of the restaurant in Coimbatore, Tamil Nadu. Parties have also agreed to maintain a minimum distance of one kilometre between the first two restaurants to be established by the rival parties as per terms indicated in recital D. I find no legal impediment to the issuance of a decree in terms of the memorandum of compromise.

3. Therefore, C.S.(Comm.Div.) No.217 of 2025 is decreed in terms of memorandum of compromise dated 23.01.2026, which shall form an integral part of the decree. In view of the settlement, there will be no order as to costs. Consequently, the connected applications are closed.

23-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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C.S(COMM DIV) No. 217 of 2



SENTHILKUMAR RAMAMOORTHY, J.

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