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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(COMM) 667/2026

M/S SRI LAKSHMI SRINIVASA AGRO FOODS THROUGH ITS
AUTHORIZED PARTNER MR. SHIVAKUMAR MACHANOR
KONDA & ANR.Plaintiffs

Through: Mr. Animesh Rastogi, Ms. Neha
Rastogi, Ms. Sandhya Maniyar & Mr.
Shashank Pandey, Advocates.

versus

SREE TIRUMALAA TRADERSDefendant

Through:

CORAM:

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

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22.06.2026

I.A. 16093/2026 (Exemption)

1. Exemption is allowed, subject to all just exceptions.
2. The Application stands disposed of.

I.A. 16094/2026 (Exemption from pre-institution Mediation)

3. This is an Application filed by the Plaintiffs seeking exemption from instituting pre-litigation Mediation under Section 12A of the Commercial Courts Act, 2015 (“CC Act”).
4. As the present matter contemplates urgent interim relief, in light of the judgment of the Supreme Court in *Yamini Manohar v. T.K.D. Krithi*, 2023 SCC OnLine SC 1382, exemption from the requirement of pre-institution Mediation is granted.
5. The Application stands disposed of.



I.A. 16095/2026 (Exemption from advance service to the Defendant)

6. This is an Application filed by the Plaintiffs under Section 151 of the Code of Civil Procedure, 1908 (“CPC”), seeking exemption from advance service to the Defendant.

7. Mr. Animesh Rastogi, learned Counsel for the Plaintiffs, submitted that there is a real and imminent likelihood that the Defendant may take immediate steps to dispose of, conceal or suppress its infringing business operations and digital footprints bearing the deceptively similar Trade Mark.

8. In view of the fact that the Plaintiffs have sought an urgent *ex-parte ad-interim* injunction along with the appointment of the Local Commissioner, the exemption from advance service to the Defendant is granted.

9. The Application stands disposed of.

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10. Let the Plaint be registered as a Suit.

11. Issue Summons. Let the Summons be served to the Defendant through all permissible modes upon filing of the Process Fee.

12. The Summons shall state that the Written Statement shall be filed by the Defendant within 30 days from the date of the receipt of Summons. Along with the Written Statement, the Defendant shall also file an Affidavit of Admission / Denial of the documents of the Plaintiffs, without which the Written Statement shall not be taken on record.

13. Liberty is granted to the Plaintiffs to file Replication, if any, within 30 days from the receipt of the Written Statement. Along with the Replication filed by the Plaintiffs, an Affidavit of Admission / Denial of the documents



of Defendant be filed by the Plaintiffs, without which the Replication shall not be taken on record.

14. In case any Party is placing reliance on a document, which is not in their power and possession, its details and source shall be mentioned in the list of reliance, which shall also be filed with the pleadings.

15. If any of the Parties wish to seek inspection of any documents, the same shall be sought and given within the prescribed timelines.

16. List before the learned Joint Registrar on 06.08.2026 for completion of service and pleadings.

I.A. 16092/2026 (O-XI R-1(4) of the Code of Civil Procedure, 1908)

17. The present Application has been filed on behalf of the Plaintiffs under Order XI Rule 1(4) of the CPC as applicable to Commercial Suits under the CC Act seeking leave to place on record additional documents.

18. The Plaintiffs are permitted to file additional documents in accordance with the provisions of the CC Act and the Delhi High Court (Original Side) Rules, 2018.

19. Accordingly, the Application stands disposed of.

I.A. 16091/2026 (U/O XXXIX Rules 1 & 2 of CPC)

20. Issue Notice. Notice be served through all permissible modes upon filing of the Process Fees.

21. The learned Senior Counsel for the Plaintiffs advanced the following submissions:



21.1. The Plaintiffs are engaged in the business of processing, marketing, and selling of rice. The Plaintiffs are carrying on the said business under the name and style of Sri Lakshmi



Srinivasa Agro Foods, i.e., Plaintiff No. 1 and SLS Agro Ventures, i.e., Plaintiff No. 2.

21.2. Plaintiff No. 1, in the year 2003, honestly and *bonafidely* conceived and adopted the Trade Marks SRI LAKSHMI SRINIVASA, LAKSHMI SRINIVASA, LAKSHMI SRINIVASA SLS and SLS LAKSHMI SRINIVASA (“**Plaintiffs’ Marks**”), with the image of Lord Lakshmi Srinivasa, in relation to rice products.

21.3. The details of the registration of the Plaintiffs’ Marks are as under:

Sr. No.	Application No.	Trade Mark	Classes	Status	Device / Word mark
1.	6598186	LAKSHMI SRINIVASA	30	Registered	
2.	6598187	LAKSHMI SRINIVASA	30	Registered	Wordmark
3.	6598188	LAKSHMI SRINIVASA SLS	30	Registered (Rectification Filed by Defendant)	



4.	2599228	SLSLAKSHMI SRINIVASA (DEVICE)	30	Registered	
5.	1683881	LAKSHMI SRINIVASA	30	Opposed	
6.	2599230	SLS LAKSHMI SRINIVASA	30	Objected	Wordmark
7.	2599229	SLS LAXMI SRINIVASA	30	Objected	Wordmark
8.	2599231	SLS LUXMI SRINIVASA	30	Objected	Wordmark
9.	2599234	SLS LAKSHMI SRINIVASA	30	Registered	Wordmark
10.	2810475	SLS POWER	30	Registered	Device
11.	6612001	SLSPOWER R	30	Objected	Device
12.	6612002	SLSDORBA R	30	Objected	Wordmark
13.	6612003	SLSDORBA R	30	Objected	Device

21.4. The product of the Plaintiffs is well-known and the Plaintiffs have a well-established business of processing, marketing and selling of rice, and providing services of retail and wholesale



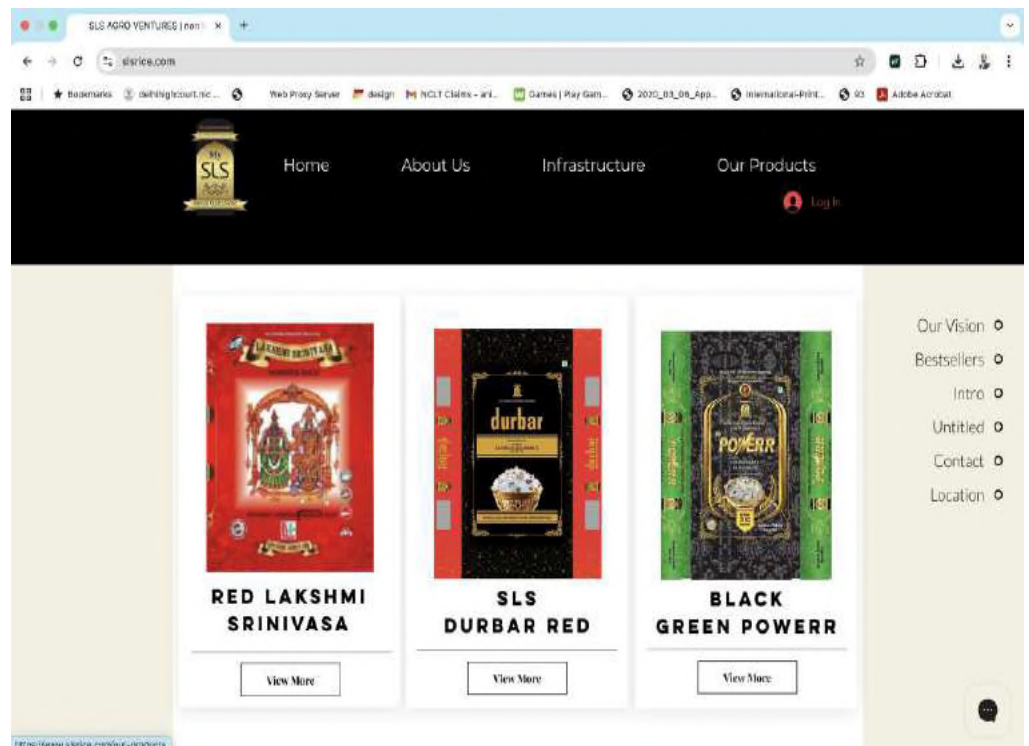
marketing for the past several years, having its presence throughout the country. Further, the Trade Dress/Label adopted by the Plaintiffs (“**Plaintiffs’ Trade Dress**”) is well-known amongst the members of the trade and public, and the same is reproduced below:

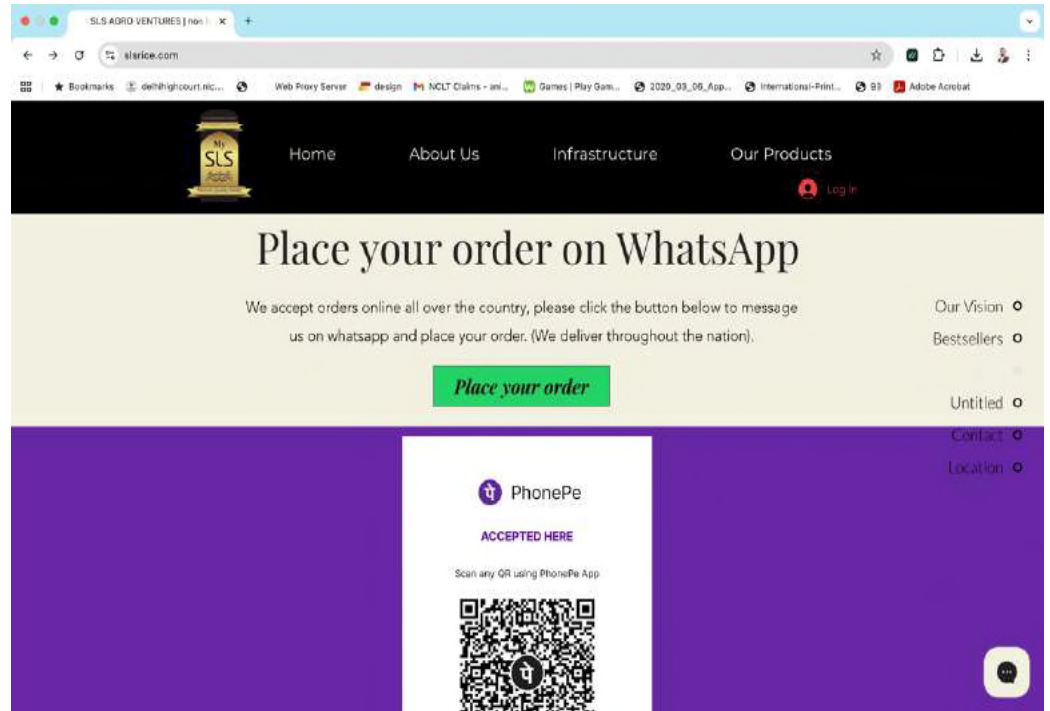




21.5. The Plaintiffs' Trade Dress is registered under the Copyrights Act, 1957, bearing application no. AT29691/2025-CO. The artwork in the said Trade Dress is originally created at the instance of the Plaintiffs, who own the copyright in the said artwork.

21.6. The Plaintiffs' website 'www.slsrice.com', which is interactive in nature, prominently features the Plaintiffs' Marks/Trade Dress. Further, the Plaintiffs' website contains extensive information about the Plaintiffs' history, products, certifications, customer recipes etc., and is accessible to traders and consumers within the jurisdiction of this Court. The screenshots of the Plaintiff's aforesaid website featuring the Plaintiffs' Marks / Trade Dress are as under:





21.7. In addition to the Plaintiffs' aforementioned website, the Plaintiffs also maintain a formidable presence on social media portals such as Instagram, Facebook etc., and regularly indulge in advertisement and promotional activities through the said social media accounts of the Plaintiffs.

21.8. The Plaintiffs have made extensive sale of rice products under the Plaintiff's Marks and the Plaintiff's Trade Dress, the details of which are as under:

PLAINTIFF NO. 1

YEAR	TURNOVER IN RUPEES
2003-2004	15,41,53,852.00
2004-2005	31,69,36,720.00
2005-2006	36,64,13,411.00
2006-2007	44,55,10,746.00
2007-2008	49,32,81,865.00
2008-2009	68,47,02,375.00
2009-2010	92,25,96,451.00



2010-2011	96,21,19,990.00
2011-2012	1,00,94,17,998.00
2012-2013	1,28,29,07,548.00
2013-2014	1,60,68,23,657.00
2014-2015	1,67,62,09,920.00
2015-2016	1,60,58,99,992.00
2016-2017	1,45,08,54,653.00
2017-2018	1,46,65,13,703.00
2018-2019	1,65,64,77,004.00
2019-2020	1,12,25,05,397.00

PLAINTIFF NO. 2

2019-2020	59,87,81,470.00
2020-2021	1,36,83,34,408.00
2021-2022	1,74,23,00,419.00
2022-2023	1,67,02,91,833.00
2023-2024	1,34,70,47,931.00
2024-2025	1,09,98,44,806.00

21.9. The Plaintiffs have been using the Plaintiffs' Marks with red packaging and the image of Lord Lakshmi Srinivasa since the year 2003 openly and commercially without any interruption and interference. The Plaintiffs' Marks with red packaging and the image of Lord Lakshmi Srinivasa is distinctive and is identified with the goods and business of the Plaintiffs.

21.10. On account of long, continuous and commercial use coupled with the efforts to popularize and by virtue of the superior quality of the goods provided by the Plaintiffs, the Plaintiffs' Marks with red packaging and the image of Lord Lakshmi Srinivasa has come to be exclusively identified and associated with the Plaintiffs among the members of the



public and trade, and has acquired enviable goodwill and trade reputation.

21.11. The Defendant, M/S Sree Tirumalaa Traders, are engaged in the business of processing, trading, selling and offering for sale through its network of retailers, soliciting and marketing, trading of Rice. The Defendant is using the Trade Mark ‘LAKSHMI SRINIVASA’ (**‘Impugned Mark’**) in relation to its goods and business.

21.12. The Defendant has further dishonestly and *malafidely* adopted the Trade Dress (**“Impugned Trade Dress”**) for their goods and business, which is identical with/deceptively similar to the Plaintiff’s Trade Dress. The Impugned Trade Dress is reproduced as under:



21.13. The Defendant has slavishly copied the Plaintiff’s Marks/Trade Dress in its entirety, and has merely added the prefix ‘LAKSHMI SRINIVASA’ in the Impugned Mark and the Impugned Trade Dress, with the sole intent of capitalizing on the reputation and goodwill associated with the Plaintiffs’ Marks and the Plaintiffs’ Trade Dress.



21.14. Due to the Defendant's infringing acts, the Plaintiffs are suffering huge losses both in its business and in terms of its reputation. Unwary purchasers and members of the trade are being deceived as to the origin of goods and business being from the Plaintiffs, causing losses to the Plaintiffs.

22. Having considered the submissions advanced by the learned Counsel for the Plaintiffs, the pleadings and the documents on record it is clear that the Plaintiff is the proprietor of the Plaintiffs' Marks. The Plaintiffs have been able to establish long and continuous use of the Plaintiffs' Marks with respect to processing, marketing, and selling of rice. The Plaintiffs have demonstrated the goodwill and reputation acquired by the products under the Plaintiffs' Marks. The Defendant's use of the Impugned Mark and the Impugned Trade Dress is *prima facie* dishonest and nothing but an attempt to ride the goodwill and reputation of the Plaintiffs' Marks so as to cause confusion in the market.

23. The Defendant is not only riding on the immense and valuable goodwill and reputation enjoyed by the Plaintiffs but are also attempting to show some association or nexus with the Plaintiffs, where none exists. There is a strong likelihood that unwary consumers will be duped into buying the products of the Defendant by believing them to be originating from the Plaintiffs, which is detrimental to not only the reputation and goodwill of the Plaintiffs, but is also detrimental to the consumers. The Defendant has adopted the Impugned Marks and the Impugned Trade Dress which are deceptively similar to the Plaintiffs' Marks and the Plaintiffs' Trade Dress respectively.



24. The present case satisfies the test of triple identity, as the competing marks are deceptively similar, the goods are identical, and the trade channels and consumer base are common. The Plaintiffs, being the prior adopter, prior user and registered proprietor of the Plaintiffs' Marks, are entitled to protection.

25. Therefore, the Plaintiffs have made out a *prima facie* case for the grant of an *ex-parte ad-interim* injunction. Balance of convenience is in favour of the Plaintiffs and against the Defendant. Irreparable injury would be caused to the Plaintiffs if an *ex-parte ad-interim* injunction against the Defendant is not granted.

26. Accordingly, till the next date of hearing, the Defendant, its directors, assignees in business, its associates, affiliates, franchisees, licensees, distributors, dealers, stockists, retailers, agents, and all others acting for or on its behalf, are restrained from manufacturing, selling, offering for sale, advertising, directly or indirectly dealing in rice using the Impugned Mark 'LAKSHMI SRINIVASA' and / or the Impugned Trade Dress



, or any other



Trade Mark / Trade Dress that may be identical / deceptively to the Plaintiffs' Marks 'SRI LAKSHMI SRINIVASA, LAKSHMI SRINIVASA, LAKSHMI SRINIVASA SLS, SLS LAKSHMI SRINIVASA' and / or the



Plaintiffs' Trade Dress ' , amounting to infringement of the Plaintiffs' Marks and / or Plaintiffs' Trade Dress and / or passing off.

27. Let the Reply to the present Application be filed within four weeks after service of Notice. Rejoinder thereto, if any, be filed before the next date of hearing.

28. The compliance of Order XXXIX Rule 3 of the CPC be done within two weeks.

29. List before the Roster Bench on 27.08.2026.

**TEJAS KARIA, J
(VACATION JUDGE)**

JUNE 22, 2026/ 'Ak'