WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2026

CORAM

THE HON'BLE MR.JUSTICE P.B. BALAJI

C.S(COMM DIV) No. 71 of 2024
& O.A.Nos.243 & 244 of 2024
& A.Nos.1769 & 1770 of 2024

Case QR

CNR:{HCMA010587702024}

1. A D Padmasingh Isaac
2. Aachi Masala Foods Private Limited
   No1926, 34th Street, I Block, Ishwarya Colony,
   Anna Nagar West, Chennai 600040

3. Flora Foods
   No 1926, 34th Street, I Block, Ishwarya
   Colony, Anna Nagar West, Chennai 600040

..Petitioner(s)

Vs

1. Sudali Aachi Tea Shop
   Plot No.20, Lakshmi Nagar Main Road,
   Lakshmi Nagar,
   Madipakkam,
   Chennai - 600 091.
   Tamil Nadu.

2. Google Llc
   1600, Amphitheatre Parkway, Mountain View,
   California 94043 USA

..Respondent(s)

Prayer: Civil Suit filed under Order IV Rule 1 of the OS Rules and Order VII Rule 1 of CPC r/w Sections 27(2), 29, 134 and 135 of Trademarks Act, 1999, praying that

a] Granting a permanent injunction, restraining the 1st Defendant, by himself, his servants, agents, distributors, or anyone claiming through him from

https://www.mhc.tn.gov.in/judis (Uploaded on: 04/11/2026 01:27:06 pm)

Order QR
WEB COPY

manufacturing, selling, advertising and offering for sale or providing services using the name 'SUDALI AACHI TEA SHOP' or any other similar Trade Mark name or similar sounding expression in any Tea and Tiffin services, 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 plaintiffs trade mark/name 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 l^t Plaintiffs registered Trade Marks referred herein;

b) Granting a permanent injunction restraining the l^t 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 'SUDALI AACHI TEA SHOP' in relation to the Tea and Tiffin services or 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;

https://www.mhc.tn.gov.in/judis (Uploaded on: 04/11/2026 01:27:06 pm)

Order QR

WEB COPY

c) Mandatory injunction directing the 2"^ Defendant to remove or take down the name 'SUDALI AACHI TEA SHOP' of the l^t Defendant from the business listings in the Webpages of the 2"'^ Defendant as reflected in the following link: https://www.googIe.com/search?q=SUDALl+AACHI+TEA+SHOP&rlzICICHBDenIN821IN821&oq^SUDALI+AACHI+TEA+SHOP & aqs=chrome.0.69i59j69i6012.5136i0j7 & sourceid=chrome & ie=UTF-8i2, in relation to any Tea and Tiffin services or Restaurant services or with respect to any other food preparation or on any other similar business or providing information, menus and user reviews pertaining to such Restaurant services or with respect to any other food preparation or on any other similar business in any manner so as to cause confusion to the public with respect to the Plaintiffs Trade Mark/name AACHI/AACHI CHETTINAD RESTAURANT/AACHI KITCHEN/AACHI NAMMA KITCHEN/AACHI BHAVAN;

d] Directing the Defendants 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 'SUDALI AACHI TEA SHOP' or other identical trade mark used in the pouches and packets bearing the word AACHI/AACHI CHETINAD RESTAURANT/AACHI KITCHEN/AACHI NAMMA KITCHEN/AACHI BHAVAN;

e] Directing the Defendants to render an account of profits made by them by the use pf the impugned trademark 'SUDALI AACHI TEA ’ SHOP' 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: and

f] Directing the Defendants to pay to the Plaintiffs the costs to the suit.

https://www.mhc.tn.gov.in/judis (Uploaded on: 04/11/2026 01:27:06 pm)

WEB COPY

For Petitioner(s): Mr.Gladys Rosette C Daniel

For Respondent(s): Mr.G.Balasubramanian
M/s.Leela & Co., for D2

D1 not ready in notice

JUDGMENT

Mrs.Gladys Daniel, learned counsel appearing for the plaintiffs states that the infringement was alleged by the plaintiff, on the ground that the 1st defendant was using "SUDALI AACHI TEA SHOP" as its trade name. However, despite attempts to serve the defendants, the learned counsel for the plaintiffs submits that the service on the defendants remain unserved.

2.Today, the learned counsel for the plaintiffs has filed a memo, enclosing a photograph, stating that the defendants have changed the name from "SUDALI AACHI TEA SHOP" to "SUDALI TEA SHOP" and further, the plaintiffs are not aggrieved by the present name adopted by the defendants.

3.The learned counsel for the plaintiffs also fairly states that the 2nd defendant has removed the google link and hence, no relief is also pressed against the 2nd defendant.

https://www.mhc.tn.gov.in/judis (Uploaded on: 04/11/2026 01:27:06 pm)

Order QR

WEB COPY

4.In view of the same, recording the memo and also the name changed from “SUDALI AACHI TEA SHOP” to “SUDALI TEA SHOP”, over which the plaintiffs had grievance, the suit is closed, giving liberty to the plaintiffs to prove any new cause of action, in future, if necessitated. Connected applications are also closed. No costs.

29-10-2026

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

ATA

https://www.mhc.tn.gov.in/judis (Uploaded on: 04/11/2026 01:27:06 pm)

WEB COPY

P.B.BALAJI J.

ATA

C.S(COMM DIV) No. 71 of 2024

29-10-2026

https://www.mhc.tn.gov.in/judis (Uploaded on: 04/11/2026 01:27:06 pm)