

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2025

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**THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR**

**O.A. Nos.1088 to 1090 of 2025 & A.No.5789 of 2025**

**in C.S. (Comm.Div.) No.294 of 2025**

The India Cements Limited

.. Applicant

VS

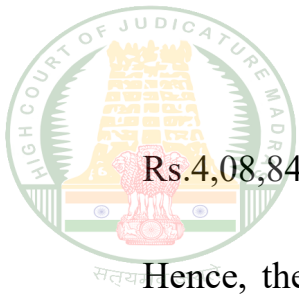
Markupgrade and another

.. Respondents

For applicant : Mr.Arun C.Mohan

**ORDER**

The contention of the applicant/plaintiff is that they are established in the year 1946 and from a two-plant cement manufacturing company, having a capacity of 1.3 million tonnes in 1989, they have achieved a total production of 15.5 million tonnes per annum. Apart from retaining the cement business over the years, they have also ventured into the related fields such as shipping, captive power generation and coal mining etc. The applicant's/plaintiff's turnover from the year 2015 to 2025 comes to



Rs.4,08,847/- lakhs and their advertisement expenses comes to Rs.1,277/- lakhs.

Hence, the applicant/plaintiff has developed several cement brands over the years  
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catering to different market segments, namely, 'Sankar Cement', 'Sankar Super Power', 'Sankar Sakthi', 'Raasi Gold', 'Coromandel King', 'Coromandel Super King', 'Coromandel White Cement', 'Coromandel Superpower' etc. and the other details are as follows:

| Trade Mark        | Application Number | Class        | Application Date | User Date  | Status     |
|-------------------|--------------------|--------------|------------------|------------|------------|
| INDIA CEMENTS     | 4738722            | 1, 2, 19, 35 | 09/11/2020       | 21/02/1946 | REGISTERED |
| THE INDIA CEMENTS | 4738723            | 1, 2, 19, 35 | 09/11/2020       | 21/02/1946 | REGISTERED |

2.While so, when the applicant/plaintiff conducted a WHOIS search, it was brought to their notice that the second respondent is the registrar of the impugned domain name [www.indiacements.com](http://www.indiacements.com). As per the website hosted at [www.indiacements.com](http://www.indiacements.com), the first respondent has put out an advertisement stating that the said impugned domain name is available for sale. Aggrieved by the same, the present suit has been filed.



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3.Mr.Arun C.Mohan, learned counsel for the applicant/plaintiff drew the attention of this Court to the extracts from the respondent's/defendant's website, which is extracted hereunder:



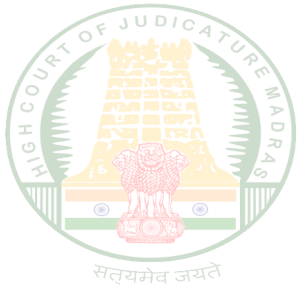
# INDIACEMENTS.COM

The domain name INDIACEMENTS.COM is available for sale or other proposals. Contact [MarkUpgrade](#) for details.

**A Strategic-Grade domain name delivers a level of value others cannot**

At MarkUpgrade, our thesis is simple: Strategic-Grade domains save businesses time, money, and energy while unlocking growth, clarity, and trust. These assets are not specifically chosen for creativity or availability. They are chosen for alignment with long-term strategy. By reducing friction across execution and communication, they strengthen positioning, signal intent, and simplify operations.

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**N.SENTHILKUMAR,J.**

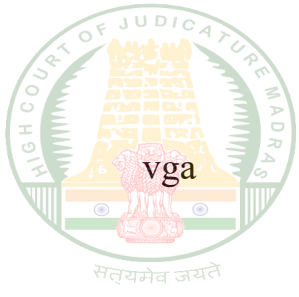
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4.Since the apprehension of the applicant/plaintiff is that the domain name which is marked for sale is registered by the applicant/plaintiff and they are in the business for several decades and if the said domain name is continuously used and offered for sale by the respondents, it would be detrimental to the applicant/plaintiff. Since the applicant/plaintiff has made out a prima facie case and the balance of convenience and irreparable hardship have also been established, this Court is of the view that the applicant/plaintiff would be put to irreparable loss, if interim injunction is not granted.

5.Accordingly, there shall be an order of interim injunction as prayed for in O.A. Nos.1088 to 1090 of 2025. Notice to the respondents returnable by 17.12.2025. Order XXXIX Rule 3 of C.P.C. to be complied with. Post the matter on 17.12.2025.

24.11.2025



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