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# JUDGEMENTOPEDIA

(Learning Judgements For A Living)

1

Should a Civil Court refer a trademark dispute to Arbitration under Section 8 despite fraud claims and a non-signatory party's involvement?

2

Whether the appellant's fundamental right under Article 22(1) of the Indian Constitution was violated by not being informed of the grounds of arrest, and whether this non-compliance renders the arrest and subsequent detention illegal?

3

Whether a remarried government employee in Tamil Nadu is entitled to maternity leave for her first child born from her subsisting marriage, where she has two biological children from a previous marriage born before entering service?

4

Can a female candidate be denied admission due to low hemoglobin levels?



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# JUDGEMENTOPEDIA

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1

K. Mangayarkarasi & Anr.

Vs.

N. J. Sundaresan & Anr.

[2025 INSC 687]

2

Vihaan Kumar Vs. State Of Haryana & Anr.  
[2025 INSC 162 Reportable, Criminal Appeal No.  
Of 2025 (Arising Out Of Special Leave Petition  
(Crl.) No. 13320 Of 2024)]

3

K Umadevi Vs. Government of  
Tamil Nadu & Ors.  
[2025 INSC 751]

4

Sakshi Choudhary Vs. Union of India &  
Ors.  
[2025:RJ-JP:20561]



## **Should a Civil Court refer a trademark dispute to Arbitration under Section 8 despite fraud claims and a non-signatory party's involvement?**

**CONTEXT:** The petitioners in this case filed a commercial suit in Coimbatore seeking a permanent injunction and damages against the use of the trademark "SRI ANGANNAN BIRIYANI HOTEL" by the respondent. The dispute centered around trademark assignment deeds dated 14.10.2019 and 20.09.2017, both containing arbitration clauses. The Commercial Court allowed the defendant's application under Section 8 of the Arbitration and Conciliation Act, 1996, referring the matter to arbitration. The court found the dispute to be contractual (arising from assignment deeds), involving rights in personam, and hence arbitrable, despite allegations of fraud and the involvement of a non-signatory. The High Court upheld this order, leading the petitioners to approach the Supreme Court.

The Supreme Court dismissed the Special Leave Petition and upheld the decisions of the Commercial Court and High Court, affirming that the dispute—arising from trademark assignment deeds—was arbitrable under Section 8 of the Arbitration and Conciliation Act, 1996.

1 The Court held that:

- Trademark assignment disputes involve rights in personam and are thus arbitrable.
- Allegations of fraud, unless serious or impacting the public domain, do not invalidate an arbitration clause.
- The non-signatory third respondent, claiming rights through gift deeds, was rightly referred to arbitration as per Section 8, which covers persons “claiming through or under” a party.
- Courts, under Sections 8 and 11, must only verify the existence of an arbitration agreement, not decide on the contract's validity or arbitrability of fraud claims—these are for the arbitral tribunal under Section 16 (kompetenz-kompetenz).

3 Finding no legal error, the Court confirmed the referral to arbitration and dismissed the petition.

**K. MANGAYARKARASI**  
**& ANR. VS.**  
**N. J. SUNDARESAN &**  
**ANR.**  
**[2025 INSC 687]**

**SECTIONS 8, 11, 16 OF  
THE ARBITRATION AND  
CONCILIATION ACT,  
1996**

**SECTION 37 OF THE  
TRADE MARKS ACT,  
1999**

**SECTION 31 OF THE  
SPECIFIC RELIEF ACT,  
1963**

**Whether the appellant's fundamental right under Article 22(1) of the Indian Constitution was violated by not being informed of the grounds of arrest, and whether this non-compliance renders the arrest and subsequent detention illegal?**

**CONTEXT:** The appellant challenged the judgement and order dated August 30, 2024, passed by the Punjab and Haryana High Court. The appellant was arrested on June 10, 2024, at his office in Gurugram, Haryana, in connection with FIR No. 121 of 2023, registered for offenses under Sections 409, 420, 467, 468, and 471 read with Section 120-B of the Indian Penal Code (IPC), 1860. He was taken to DLF Police Station and allegedly produced before the Judicial Magistrate on June 11, 2024. The appellant contended that he was not informed of the grounds for his arrest, violating Article 22(1) and Section 50 of the Code of Criminal Procedure, 1973 (CrPC). He also alleged a violation of Article 22(2) due to production before the Magistrate beyond 24 hours of his arrest. Furthermore, it was brought to the Court's attention that after his arrest, the appellant was hospitalized and was handcuffed and chained to his hospital bed, which the Medical Superintendent of PGIMS admitted occurred. Officials deployed to escort him have been suspended, and a departmental inquiry ordered. The 1st respondent (State of Haryana) contended that grounds were informed, possibly orally or recorded in the case diary. They also claimed the appellant's wife was informed of the arrest and grounds.

- 1 The appeal was allowed. The Court held that the appellant's arrest on June 10, 2024, was vitiated due to non-communication of arrest grounds, violating Article 22(1) and Article 21 of the Constitution.
- 2 It ruled that informing the arrestee's wife or referencing remand reports or police diaries does not fulfill the constitutional requirement.
- 3 The burden of proving compliance lies with the police. The High Court's contrary view was held erroneous. The appellant's handcuffing and chaining to a hospital bed was also deemed a violation of his dignity under Article 21.
- 4 The appellant is to be released immediately but must cooperate with the trial. The State of Haryana must issue guidelines against such custodial practices. Article 22(2) was not addressed.

**VIHAAN KUMAR VS.  
STATE OF HARYANA &  
ANR.  
[2025 INSC 162  
REPORTABLE,  
CRIMINAL APPEAL NO.  
OF 2025 (ARISING OUT  
OF SPECIAL LEAVE  
PETITION (CRL.) NO.  
13320 OF 2024)]**

**SECTIONS 19, 45, 35,  
47, 91 OF THE  
PREVENTION OF  
MONEY LAUNDERING  
ACT, 2002 (PMLA)**

**SECTIONS 50, 50A, 57,  
41 OF THE CODE OF  
CRIMINAL PROCEDURE,  
1973 (CRPC)**

# Whether a remarried government employee in Tamil Nadu is entitled to maternity leave for her first child born from her subsisting marriage, where she has two biological children from a previous marriage born before entering service?

**CONTEXT:** The appellant, a Tamil Nadu government employee, had two children from her first marriage before joining service in December 2012. Her marriage was dissolved in 2017, with custody of the children given to her ex-husband. In 2018, she remarried and later conceived her first child from this marriage. She applied for maternity leave, but it was rejected by the government, citing Fundamental Rule (FR) 101(a), which allows maternity leave only for women with fewer than two surviving children. The authorities argued there was no provision for maternity leave for a third child due to remarriage. The appellant challenged the rejection in the Madras High Court, where a Single Judge ruled in her favor. However, a Division Bench reversed the decision, upholding the two-child norm and stating that maternity leave is a statutory, not fundamental, right. The Division Bench cited the *Deepika Singh v. CAT [(2023) 13 SCC 681]* judgment to support the State's stand. The appellant appealed to the Supreme Court.

1 The Supreme Court set aside the Madras High Court Division Bench ruling and allowed the appeal. It held that the appellant was entitled to maternity leave under FR 101(a). The Court emphasized that the two children from her first marriage were born before her service and that this was her first child from the current marriage.

2 The Court harmonized the two-child policy with the right to maternity benefits, stating that they are not mutually exclusive. Referring to Article 21 and international norms, it held that maternity benefits form part of reproductive rights.

3 The Court also applied a liberal and purposive interpretation of welfare provisions, drawing from the Deepika Singh case. The government was directed to release maternity benefits within two months.

K. UMADEVI Vs.  
GOVERNMENT OF  
TAMIL NADU & ORS.  
[2025 INSC 781]

FIRST PROVISIO TO  
CLAUSE (II) OF THE  
FUNDAMENTAL RULE  
(FR) 101(a) FOR TAMIL  
NADU GOVERNMENT  
SERVANTS

SECTIONS 5, 27 OF THE  
MATERNITY BENEFIT  
ACT, 1961

SECTIONS 21, 42, 51(c)  
OF THE CONSTITUTION  
OF INDIA

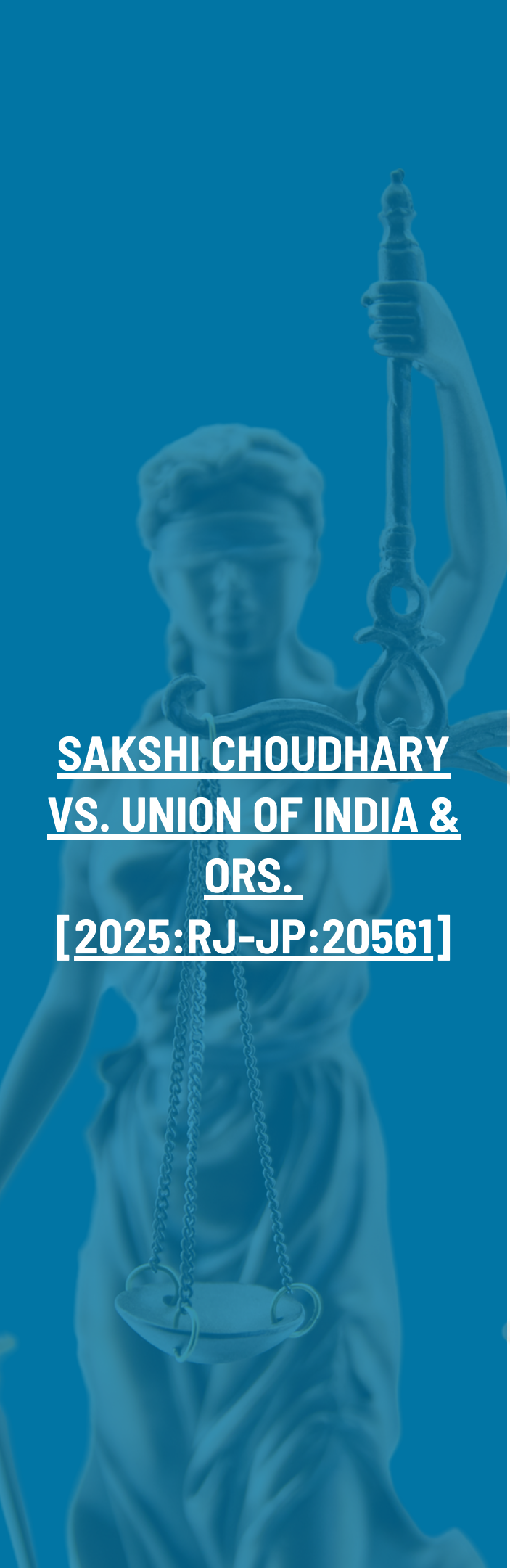
## Can a female candidate be denied admission due to low hemoglobin levels?

**CONTEXT:** This case dealt with the denial of admission to a female candidate in a nursing course due to low hemoglobin levels caused by heavy menstrual bleeding. The petitioner, Sakshi Choudhary, had cleared the screening process for the B.Sc. (Nursing) Course-2024 under the Armed Forces Medical Services but was declared “unfit” by the Special and Appellate Medical Boards due to anemia. She contended that the low hemoglobin was a temporary condition resulting from menstruation. The High Court, through an interim order, directed a review medical examination, which subsequently found her “fit for Anemia.” The respondents opposed her admission, citing lack of provision for a review and course commencement.

① The High Court of Rajasthan held that temporary anemia due to menstruation should not be a ground to deny a girl access to education.

② It emphasized that menstrual-related anemia is common and treatable and that denying admission solely based on this violates the principle of fairness.

③ Noting one seat was kept vacant per its interim order and that Sakshi was now found medically fit, the Court directed the authorities to admit her within four weeks.



**SAKSHI CHOUDHARY**  
**VS. UNION OF INDIA &**  
**ORS.**  
**[2025:RJ-JP:20561]**