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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2025

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

A.Nos.263 & 264 of 2025
in C.S.(Comm.Div.) No.289 of 2023

Ttk Prestige Limited

1st Floor 91 Santhome High Road Santhome Chennai 600028 represented
by its Authorized Signatory Mr G Ramesh Babu ... Applicant

-VS-

Mr Kailashkumar Punmaji Mali

1st Floor 91 Santhome High Road Santhome Chennai 600028 represented
by its Authorized Signatory Mr G Ramesh Babu Trading as M/s.Click Home
Appliances, Shree Narayan Industrial Estate, Gala No.7/8, Billal Pada G
Palghar, Vasai Virar, Maharashtra 401 208. ... Respondent

For Applicant : Ms.Shruthi Srinivasan
for Mr.Arun C.Mohan

For Respondent : Mr.S.Kannan

ORDER

The applicant / plaintiff seeks permission to file the documents mentioned in Annexure A, and to mark the same in course of examination in chief. All the documents are legal user certificates relating to trade marks referred to in the suit and the original petition and copyright registration certificates.



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SENTHILKUMAR RAMAMOORTHY,J

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2. Learned counsel for the contesting respondent / defendant submits that the said respondent also intends to file an application for leave to file additional documents.

3. Given the nature of the documents and the fact that the relevant trade mark registrations were referred to in the corresponding suit and rectification petition, the application for permission to file the additional documents is liable to be allowed. However, as regards permission to mark the documents in course of the examination in chief, the same would be subject to the contesting respondent's right to file an affidavit of admission / denial in respect of these documents and raise objections in course of trial.

4. Accordingly, these applications are disposed of on the following terms:

(i) The applicant is granted leave to file the additional documents described in Annexure A.

(ii) The above is subject to the right of the contesting respondent to file an affidavit of admission / denial in respect thereof and raise objections *inter alia* on grounds of admissibility, relevance and proof in course of trial.

18.02.2025
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