



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 24.07.2025

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

(TM)A/28/2025
in (T)OP(TM)/216/2023

M/s.Narasus Dairy
Rep.By Its Partner, Mr.Varun Visweswaran, No.22A, Gandhi Road,
Hasthampatty, Salem, Tamil Nadu - 636 007. ... Applicant
-VS-

Sri Narasus Coffee Company Private Limited
P.B.No.701, 16, Court Road, Johnsonpet, Hasthampatty (Post)
Salem 636 007 and 2 Others ... Respondents

For Applicant : Mr.M.S.Seshadri
For Respondents : Ms.S.Suba Shiny for R1
Mr.K.Subbu Ranga Bharathi, CGSC for R3

ORDER

This application is filed by a third party. In the affidavit in support of the application, it is stated that the applicant is the assignee of the mark sought to be removed from the Register.

2. Learned counsel for the rectification petitioner opposes this application on the ground that the validity of the assignment is assailed both



SENTHILKUMAR RAMAMOORTHY,J

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on the ground that the assignor is not the proprietor of the relevant trade mark and on the ground that such assignor has no right to assign the mark to a third party.

3. In view of the assignment, irrespective of the validity thereof, the person who would be aggrieved by an order of rectification would be the assignee. Consequently, without prejudice to the contentions of the rectification petitioner, it is just and necessary that the application be allowed.

4. Therefore, this application is allowed as prayed for and the petitioner is directed to carry out the consequential amendments in the rectification petition on or before 31.07.2025 and serve a copy of the amended petition on the other parties within a *week* therefrom.

24.07.2025
(5/6)

rna

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