



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 07.07.2025

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

A.Nos.4561 to 4563 of 2024
in C.S.No.780 of 2015

In all the three applications:

Manthra Soap Works
Shed No.42, Industrial Park,
S.Sadlapattli, Bangalore Road,
Hindupur-515 211.

... Applicant/Defendant

-VS-

Hindustan Unilever Limited,
101, Santhome High Road,
Chennai-600 028,
Represented by its Authorised Signatory.

... Respondent/Plaintiff

Prayer in A.No.4561 of 2024: Application is filed under Order XIV Rule 8 of the Original Side Rules Read With Section 151 of the CPC, 1908, to permit the applicant/defendant to re-open the defendant's witness in the above C.S.No.780 of 2015.

Prayer in A.No.4562 of 2024: Application is filed under Order XIV Rule 8 of the Original Side Rules Read With Order XVIII Rule 17 of the CPC, 1908, to permit the applicant/defendant to recall the defendant's witness in the above C.S.No.780 of 2015.



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Prayer in A.No.4563 of 2024: Application is filed under Order XIV Rule 8 of the Original Side Rules Read With Order XI Rule 1(10) of the CPC, 1908 as amended by the Commercial Courts Act, 2015, to permit the applicant/defendant to file the additional document in the above C.S.No.780 of 2015.

In all the three applications:

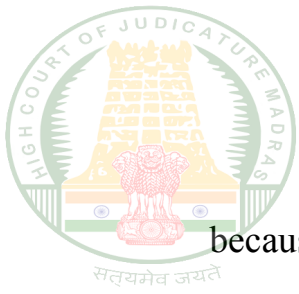
For Applicant : Mr.M.R.Gokul Krishnan

For Respondent : Mr.Madhan Babu

COMMON ORDER

Evidence was earlier recorded in full and parties have even filed written arguments. At that juncture, the defendant filed these applications to reopen the defendant's evidence, recall D.W.1 and permit the defendant to file the legal use certificate in respect of Trade Mark No.3012801, which was registered on 02.09.2020 with effect from 20.07.2015.

2. Learned counsel for the plaintiff submits that the written statement does not refer to the filing of an application for registration of a label/device mark and merely refers to the word mark 'Manthra'. For this reason and



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because the applications have been filed after an inordinate delay, he opposes these applications. Without prejudice, he submits that the document may be received and exhibited subject to the objections of the plaintiff without going through the process of reopening the evidence and recalling D.W.1.

3. Considering the stage at which these applications have been filed, the alternative course of action suggested by learned counsel for the plaintiff is liable to be accepted keeping in mind the object of expeditious disposal. Accordingly, legal use certificate relating to Trade Mark No.3012801 is received and exhibited as Ex.D5 subject to all objections of the plaintiff. The plaintiff is permitted to raise objections in course of final disposal.

4. All these applications are disposed of on the above terms without any order as to costs.

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SENTHILKUMAR RAMAMOORTHY,J

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