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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.11.2025

CORAM

THE HONOURABLE MR.JUSTICE N. SENTHILKUMAR

(T)(TM)A.Nos.4 to 7 of 2025 in
(T)OP(TM)Nos.474, 536, 538 of 2023 and 2 & 3 of 2024

In all Applications:

M/s. K. Dhamodaraswamy Naidu and Bros,
No. 47, East Arokiaswamy Road,
R.S. Puram, Coimbatore - 641002,
Tamil Nadu.

... Applicant

-VS-

1.M/s.Tirupur Sree Annapoorna,
Old No. 67, New No. 15, Kumaran Road,
Tirupur 641601, State of Tamilnadu.
Represented by its Partner Venkatesh Dheenadayalan.

2. The Registrar of Trade Marks and GI,
Trade Marks Registry Chennai,
Boudhik Sampada Bhawan,
GST Road, Guindy, Chennai-600 032.
Tamil Nadu.

... Respondents

Common Prayer : Applications are filed to permit the applicant/1st
respondent to re-open the chief-examination of R.W.1 and receive the



accompanying additional proof affidavits in (T)OP(TM)Nos.474, 536, 538 of 2023 and 2 & 3 of 2024, respectively.

In all Applications:

For Applicant : Mr.Srinath Sridevan, Senior Counsel
for Ms.J.Divya

For Respondents : Mr.R.Sathish Kumar for R1
Dr.S.Padma, SPC for R2

COMMON ORDER

These applications are filed by the applicant/1st respondent to re-open the chief-examination of R.W.1 and receive the accompanying additional proof affidavits in the respective (T)OP(TM)Nos.474, 536, 538 of 2023 and 2 & 3 of 2024.

2. Mr. Srinath Sridevan, learned Senior Counsel appearing for the applicant, submits that evidence of P.W.1 was closed on 12.08.2025. As the cross-examination is yet to commence, there is no prejudice to the respondents herein, if the chief-examination of R.W.1 is permitted to be re-opened and some additional documents be also marked.



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3. Learned counsel for the 1st respondent filed counters stating that the documents, which are being sought to be filed, are death certificate of Mr.K.Dhamodharaswamy Naidu, orders passed by the authority in the opposition petitions and the order passed by this Court dated 11.01.2024. It is further stated that none of those documents are materially relevant to decide the present rectification petitions. Since these are all facts and the question of marking such documents will only delay the trial and protract the proceedings, he raised objections for marking the same.

4. However, the learned Senior Counsel, submits that unless these documents are marked during the trial, it will cause considerable prejudice to the case.

5. As the documents are admitted facts on either side, the marking of such documents will not cause prejudice to anyone. Therefore, the applications are allowed.

13.11.2025

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N.SENTHILKUMAR,J.

Kj

To

The Registrar of Trade Marks and GI,
Trade Marks Registry Chennai,
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