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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

OP(TM)Nos.36 & 41 of 2024

1. Ashtavaidyan Dr. E. T. Yadu Narayanan Mooss
2. Ashtavaidyan Dr. E.T. Krishnan Mooss ... Petitioners

vs.

- 1.A.V. Sankaran Namboothiri
S/o Vishnu Namboothri, Trading as M/s. Ashtavaidya Herbal Pharma,
EP VIII/251, 252, Ettumanoor, Kottayam, Kerala, PIN 686 631.
2. The Registrar of Trademarks, Office of the Trade Marks Registry,
Guindy, Chennai - 600 032. .. Respondents

For Petitioners: Mr.K.Balamurali for M/s.Shivakumar and Suresh

For R1 : Mr.W.M.Abdul Azeez

ORDER

Learned counsel for the rectification petitioners has submitted a proposed schedule for recording evidence, which is acceptable to learned



counsel for the 1st respondent. The impugned marks are identical marks

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in two different classes. Therefore, the following schedule is fixed for a common trial in the two rectification petitions:

<i>Sl.No.</i>	<i>Activities</i>	<i>Date</i>
1.	Service of proof affidavit of P.W.1 on the respondents	On or before 11.07.2025
2.	Examination in chief of P.W.1	14.07.2025 & 15.07.2025
3.	Cross-examination of P.W.1	21.07.2025 to 25.07.2025
4.	Service of proof affidavit of P.W.2 on the respondents	On or before 25.07.2025
5.	Examination in chief of P.W.2	28.07.2025 & 29.07.2025
6.	Cross-examination of P.W.2	04.08.2025 to 06.08.2025
7.	Service of proof affidavit of P.W.3 on the respondents	On or before 08.08.2025
8.	Examination in chief of P.W.3	11.08.2025 & 12.08.2025
9.	Cross-examination of P.W.3	20.08.2025 to 22.08.2025

2. List the matter before learned Additional Master No.IV on 14.07.2025 for recording evidence in accordance with the above schedule.



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3. List the matter before this Court on 26.08.2025 for fixing the schedule for recording evidence on behalf of the contesting respondent.

01.07.2025

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To

The Registrar of Trademarks,
Office of the Trade Marks Registry,
Guindy, Chennai - 600 032.



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SENTHILKUMAR RAMAMOORTHY, J.

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