

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.17430 of 2016

M/s.Krishnaveni Oil Mill
Represented by its Proprietor,
Mr.K.M.Kandasamy
Kandasamypalayam,
Erode-638 109.

.. Petitioner

Vs.

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

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent to issue suitable direction to the respondent for early disposal of petitioner's TM-No.2380862 in Class 29 dated 16.08.2012.

For Petitioner : Mr.S.Chandrasekharan

For Respondent : Mr.K.Srinivasamurthy,
Central Government Standing Counsel

O R D E R

By consent, this writ petition is taken up for final disposal.

2. The grievance expressed by the petitioner is that he is a manufacturer of coconut oil and he started an oil mill in the name and style of M/s.Krishnaveni Oil Mill at No.46, Kandasamypalayam, Erode District, Tamilnadu and claimed to have selling coconut oil right from the year 1990 and created "KNK" and "KNK GOLD" as brand name and started selling coconut oil. The petitioner would further state that on 27.08.2002, he applied for registration of the trade mark "KNK" to the Trademark Registry and it was registered under Trademark Application No.1128994 in Class 29 on 12.09.2006 and was issued with registration certificate. The petitioner again applied for registration of another brand name under Trademark Application No.2380862 in Class 29 on 16.08.2012 and since the said application is not yet disposed of, came forward to file the present writ petition.

3. Heard the submissions of the learned counsel appearing for the petitioner and Mr.K.Srinivasamuthy, learned Central Government Standing Counsel, who accepts notice on behalf of the respondent and would submit that as per the relevant rules and norms, after effecting paper publication giving four months time for objections and depending upon the objections received, the application submitted by the petitioner would be disposed of.

4. This Court, in the light of the above facts and circumstances, directs the respondent to consider and dispose of the petitioner's Trademark Application No.2380862 in Class 29 dated 16.08.2012, as expeditiously as possible depending upon the objections received, if any, pursuant to paper publication issued by them.

5. This Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(VI)

//True Copy//

Sub Assistant Registrar

jvm

To

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

+1cc to Mr.S. Chandrasekaran, Advocate, S.R.No.29054
+1cc to Mr.K. Srinivasamurthy, Advocate, S.R.No.29008

GR(CO)
EU(14/06/2016)

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