

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2019

CORAM :

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P.No.2560 of 2011

&

M.P. No.1 of 2011

S. Santhanakrishnan

...Petitioner

-Vs-

1. The Registrar of Trade Marks,
Trade Marks Registry,
Boundhist Samnada Bhavan,
Near Antophil Head Post Office,
SM Road, Antophil, Mumbai - 400 037.

2. The Deputy Registrar of Trade Marks,
Trade Marks Registry,
IP Building, GST Road, Guindy,
Chennai - 600 002. Tamil Nadu.

3. S. Ramakrishnan S/o. Sarangapani,

4. S.Y. Venkata Narasimhan,

...Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to issue the certificate with regard to application No.783893 dated 30.12.1997 in association with application No.1305761 dated 30.08.2004 which was published in the Trade Mark Journal No.1383 dated 01.01.2008 and cancel the later application no.950391 dated 20.08.2000 submitted by the 3rd respondent and forbear the 3rd respondent from manufacturing and selling Rub Seeval.

For Petitioner : S. Vijayalakshmi

For Respondents

No.1 &2 : Mr.J. Madana Gopal Rao -CGSC

For Respondent -3 : Mr. R. Thirugnanam

For Respondent -4 : No appearance

O R D E R

Writ Petition is filed for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to issue the certificate with regard to application No.783893 dated 30.12.1997 in association with application No.1305761 dated 30.08.2004 and cancel the later application no.950391 dated 20.08.2000 submitted by the 3rd respondent and forbear the 3rd respondent from manufacturing and selling Rub Seeval.

2. When the above Writ Petition was taken up for hearing on 13.12.2018, the learned counsel for the petitioner has submitted that pending writ petition, the petitioner died and seeking time for taking steps to amend the cause title. Hence the matter was adjourned by two weeks.

3. After two weeks the matter was taken up on 10.01.2019, at request of the learned counsel for the petitioner, the case was adjourned by two weeks.

4. Today, i.e. 24.01.2019, the matter is taken up for hearing, the learned counsel for the petitioner would submit that the petitioner died and the writ petition may be dismissed as abated.

5. Recording the above statement, the writ petition is dismissed as abated. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

lbm

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

1. The Registrar of Trade Marks,
Trade Marks Registry,
Boundhist Samnada Bhavan,
Near Antophill Head Post Office,
SM Road, Antophil, Mumbai - 400 037.

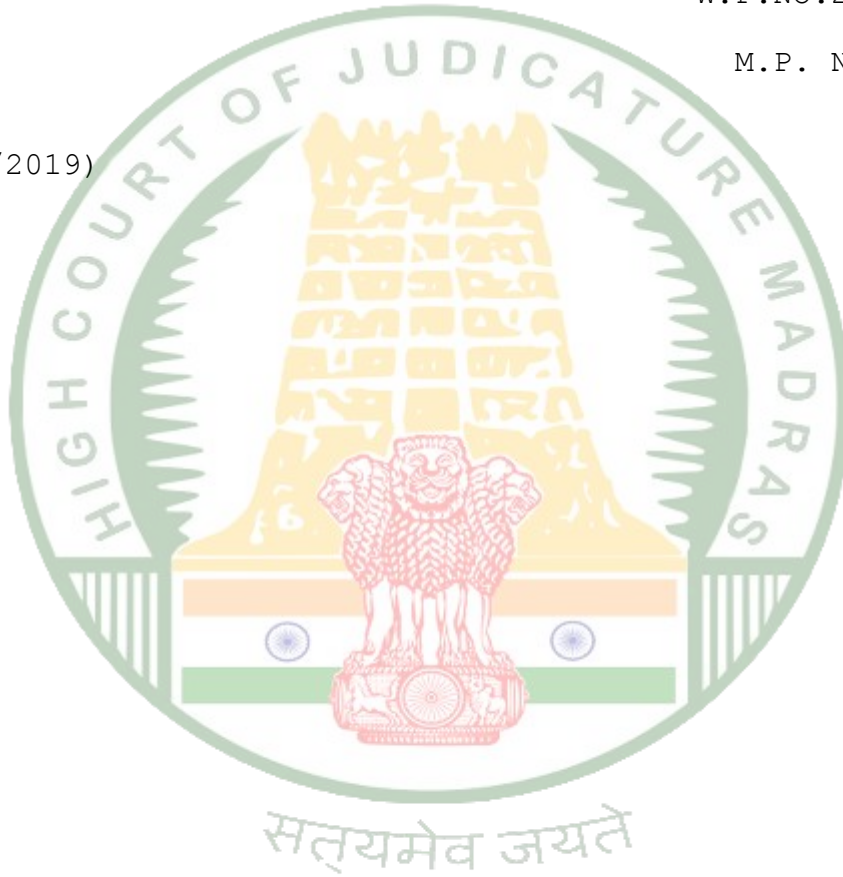
2. The Deputy Registrar of Trade Marks,
Trade Marks Registry,
IP Building, GST Road, Guindy,
Chennai - 600 002. Tamil Nadu.

+1cc to Mr.J.Madanagopal Rao, Advocate, S.R.No.5594

+1cc to Mr.R.Thirugnanam, Advocate, S.R.No.5414

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and
M.P. No.1 of 2011

Pm(CO)
kak(11/03/2019)



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