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W.P.No.24984 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2023

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

W.P.No.24984 of 2018

M/s.G.S.J.Engineering Works,
Rep. by its Proprietor,
Mr.G.Sakthivel,
S/o.Ganapathy,
No.148A, Attur Main Road,
Namagiripet Post, Rasipuram Taluk,
Namakkal District – 637 406.

... Petitioner

Vs.

1.The Controller of Patents and Designs,
Patents Office Branch,
Intellectual Property Rights Building,
Industrial Estate, SIDCO,
RMD Godown Area, G.S.T. Road,
Guindy, Chennai – 32.

2.The Secretary to Government of India,
Ministry of Industries and Commerce,
Union of India,
New Delhi.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
for issuance of a Writ of Mandamus, directing the respondents to process



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the petitioner's application No.1994/CHE/2014 dated 18.04.2014 which is pending for more than 4 years.

For Petitioner : Mr.K.P.P.Padmanabhan

For Respondents : No appearance

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the respondents to process the petitioner's application No.1994/CHE/2014 dated 18.04.2014 which is pending for more than 4 years.

2. The case of the petitioner is that the petitioner is the sole proprietor of M/s.G.S.J.Engineering Works manufactures machines for Roasting Sago Granules. He claimed that he invented an automatic machine for Roasting Sago Granules. Since his machine was being duplicated by other machine manufacturing companies, he applied for patenting his invention on 17.04.2014 vide Application No.1994/CHE/2014. Since the same was not considered, the present Writ Petition is filed before this Court for appropriate directions.



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3. The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the first respondent to consider the petitioner's Application No.1994/CHE/2014 dated 18.04.2014 and pass appropriate orders, within a time frame that may be fixed by this Court.

4. Considering the limited relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the case, directs the first respondent to consider the petitioner's Application No.1994/CHE/2014 dated 18.04.2014 and pass appropriate orders on merits and in accordance with law, after affording opportunity to the petitioner, within a period of six (6) weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

08.03.2023

Index : Yes / No
Speaking order / Non-speaking order
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M.DHANDAPANI, J.

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To

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