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W.P.(IPD).No.21 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

CORAM

DATED : 19.10.2024

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(IPD).No.21 of 2024

Versuni India Home Solutions Limited
Office at Futura Tech Park,
Q4, 4th Floor, Block B, 334,
Rajiv Gandhi Salai, Sholinganallur,
Chennai – 600 119

... Petitioner

Vs

1.The Controller of Patents & Designs
Designs Wing
Bouddhik Sampada Bhawan,
Block CP-2, Sector-V, Salt Lake City,
Kolkata 700091

2.The Controller of Patents & Designs
Patent Office Intellectual Property Building,
GST Road, Guindy,
Chennai – 600 032.

3.Maya Appliances Private Limited,
Having its registered office at
10/5, Royal Enclave,
Besant Avenue, Adyar,
Chennai – 600 020
and having office at
3/140 IT Highway,
Oggiyam Thoraipakkam
Chennai – 600 097.

... Respondents

PRAYER:- This Writ Petition has been filed under Article 226 of Constitution of India, to issue a Writ of Mandamus

a) to direct to expedite in a defined time frame the post-grant opposition proceedings filed by the petitioner pending before respondent



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No.2 in consolidation with the pending suit before this Court

b) to direct to expedite in a defined time frame the design cancellation filed by the petitioner pending before respondent No.1 in consolidation with the pending suit before this Court.

For Petitioner :- Mr.K.Premchandrar

For Respondents : Mr.S.N.Parthasarathi for RR1&2
SCGSC
Mr.Arun C.Mohan for R3

ORDER

The prayer sought for in the Writ Petition is for Mandamus to the first and second respondent to expedite the application filed by the petitioner for post-grant opposition proceedings and also for cancellation of the design.

2. Heard Mr.K.Premchandrar, learned counsel appearing for the petitioner and Mr.S.N.Parthasarathi learned Central Government Standing Counsel, Senior Panel appearing for the first and second respondents and Mr.Arun C.Mohan, learned counsel appearing for the third respondent.

3. The learned counsel for the third respondent would have no objection for this Court to grant Mandamus without going into the merits of the case and also would seek opportunity of personal hearing before any order is passed.



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4. Considering the limited prayer sought for in this Writ Petition, I am inclined to allow this Writ Petition as prayed for by granting the Mandamus directing the first and second respondent to expedite to dispose of the application filed for post grant proceedings and for design cancellation by the petitioner respectively within a period of twelve weeks from the date of receipt of a copy of this order.

5. It is made clear that the first and second respondents shall give an opportunity of personal hearing to the petitioner and the third respondent before passing order.

6. In fine, this Writ Petition is allowed. However, there shall be no orders as to costs.

19.10.2024

Gba

Index : Yes/ No

Speaking Order/ Non-speaking Order

Copy to:

1. The Controller of Patents & Designs
Designs Wing
Bouddhik Sampada Bhawan,
Block CP-2, Sector-V, Salt Lake City,

<https://www.mhc.tn.gov.in/>



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2.The Controller of Patents & Designs
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K.KUMARESH BABU,J.

GBA

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