



WMP NO. 9956 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-03-2025

CORAM

THE HONOURABLE MR JUSTICE K.KUMARESH BABU

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WMP NO. 9956 of 2025

IN

W.P.No.28 of 2024

S.Sudhakar

No.84, M.C. Road, Old Washermenpet, Chennai-21. and 2 Others

Petitioner(s)

Vs

S.Giridharan

No.69/26, A .E.Kovil Street, Bharathi Nagar, Near Tollgate, New Washermenet, Chennai-081. and 2 Others

Respondent(s)

For Petitioner(s):

Rahul Balaji
Madhan Babu
Vishnu Mohan

For Respondent(s): Mr.S.N.Subramani for R1

MR.Subbu Ranga Bharathi for RR2 & 3

ORDER

The learned counsel appearing for the first respondent seeks time to file counter.

2.This Court is not inclined to recall the order dated 14.10.2024. However, considering the fact that the order of this Court was also the subject matter in the Intra Court Appeal in W.A.No.3363 of 2024, in which the Hon'ble Division Bench of this Court by its order

18.11.2024 had dismissed the same. By order dated 14.10.2024, this Court had directed the



official respondents to proceed with the application filed by the petitioner her

and also to consider the representations made by the first respondent herein 23.07.2022,

11.11.2023 and 09.09.2024 within a period of eight weeks.

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3.It is also to be noted that the Intra Court Appeal came to be dismissed on 18.11.2024 and almost three months time has lapsed from the date of dismissal of the Intra Court Appeal. However, the direction issued by this Court in its order dated 14.10.2024 is not yet complied with by the official respondents namely respondents 2 & 3.

4.The learned Arbitrator in his proceedings dated 05.03.2025 had adjourned the arbitral proceedings to 04.04.2025 on the premise that the dispute under Arbitration and the proceedings before the official respondents are one and the same and has also found that the authority had listed the application for hearing on 17.03.2025.

5.In such view of the matter, the official respondents shall dispose of the application along with the representations indicated supra on the said date. This positive direction is given as the period fixed by this Court had long expired, at any rate after hearing the parties on 17.03.2025, necessary orders shall be passed including under Section 45(3) of the Act, within a period of two (2) weeks thereafter, but not later than 02.04.2025 and communicate



the same to the parties forthwith as the arbitral proceedings had been fixed by



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Arbitrator on 04.04.2025.

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6. With the aforesaid directions, the WMP.No.9956 of 2025 stands disposed of. No costs.

14-03-2025

Note: Issue today

To

1. S.Giridharan

No.69/26, A .E.Kovil Street, Bharathi Nagar, Near Tollgate, New Washermenet, Chennai-081.

2. The Registrar Of Trademarks

Trademarks Registry, Sampda Bhawan, 5.M.Road, Antop Hill, Mumbai-400 037.

3. The Deputy Registrar Of Trademarks

Trademark Registry Intellectual Property Office Building, G.S.T. Road, Guindy, Chennai- 32.



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