



W.P(MD)No.7950 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.7950 of 2024

The Sun Products
represented through its Proprietor
S.Siva

... Petitioner

vs.

1. The Controller,
Office of Controller General of Patents,
Designs & Trade Marks,
Boudhik Sampada Bhavan,
Antop Hill, S.M.Road,
Mumbai – 400 037.

2. The Assistant Registrar of Trade Marks
Intellectual Property Office Building,
G.S.T. Road, Guindy,
Chennai – 600 032.

3. Sri Hari Agency
Represented through its Proprietor,
28 B 13 Kottai Medu Street,
Boothipuram Post,
Theni – 625 531.
Tamilnadu.

... Respondents



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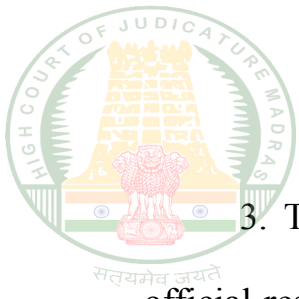
PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to reject the third respondent's application for registration of Trade Mark dated 02.03.2024 in Application No.6329576 Class 5 as Trade Mark name 'Alagumayil' similar to the petitioner's trade mark 'Mayiil Oma Water' by considering his representation of objection dated 16.03.2024 in view of the under Section 12(1) and (2) of the Trade and Merchandise Marks Act, 1958, within the period as stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen
For R-2 : Mr.S.Shanmugavel
Additional Government Pleader
For R1 & R-3 : No appearance

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to reject the third respondent's application for registration of Trade Mark dated 02.03.2024.

2. This Court has already issued notice to the third respondent but none appears on behalf of the third respondent.



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3. This Court without expressing any opinion on merits is directing the official respondents to consider the petitioner's representation of objection, dated 16.03.2024, and to conduct an enquiry after issuing notice to both the petitioner and the third respondent, and thereafter, pass orders in accordance with law. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.

4. With the above said direction, this Writ Petition is disposed of. There shall be no order as to costs.

10.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes

jbr

To:

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Designs & Trade Marks,
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Antop Hill, S.M.Road,
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S.SRIMATHY, J.

jbr

ORDER MADE IN
W.P(MD)No.7950 of 2024

DATED : 10.06.2025