WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **05.09.2024**

CORAM

THE HONOURABLE **MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

W.P(IPD) No.23 of 2024

M/s.Tiger Food Ingredients (P) Ltd.
(Formerly M/s.Manju Chemicals Private Ltd)
Rep by its Managing Director Mr.Y.Mohammed Shibin
No.50, Kumaraswamy Nagar,
Villivakkam, Chennai 600 049. ... Petitioner

-vs-

The Registrar of Trade Marks,
The Trade Marks Registry,
IPO Building, GST Road, Industrial Estate,
Guindy, Chennai 600 032. ... Respondent

PRAYER: Writ petition (IP Division) filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus, to consider the Name Change Application FORM TM P dated 05.07.2024 and allow the petitioner to effect the name change from "MANJU CHEMICALS PRIVATE LIMITED" to "TIGER FOOD

https://www.mhc.tn.gov.in/judis

WEB COPY

INGREDIENTS (P) LTD.".

For Petitioner : Ms.N.Devi

For Respondent : Mr.S.Janarthanam, SPC

****

ORDER

The petitioner seeks a direction to the respondent to consider name change application in Form TM P dated 05.07.2024. The petitioner was incorporated as a private limited company under the name Manju Chemicals Private Limited in 2001. Under the said name, the petitioner had applied for and obtained registrations of the trade mark "Tiger" under classes 30 and 32 on the dates set out in paragraph 5 of the affidavit. Later, the Ministry of Corporate Affairs issued a certificate of incorporation pursuant to change of name on 31.01.2024 in respect of the change from Manju Chemicals Private Limited to Tiger Food Ingredients Private Limited. After submitting

https://www.mhc.tn.gov.in/judis

WEB COPY

a name change application in Form TM P on 05.07.2024, this writ petition was filed on the ground that such application was not considered and disposed of expeditiously.

2. Learned counsel for the petitioner referred to the certificate of incorporation pursuant to change of name and the application filed in Form TM P on 05.07.2024. In spite of the application being purely procedural, she submits that no action has been taken on such application until date.

3. Mr.S.Janarthanam, learned Senior Panel Counsel, submits that the application was submitted on 05.07.2024 and that the present writ petition was filed on 11.08.2024 without even submitting a representation for the expeditious consideration of the name change application.

4. The documents on record disclose that the petitioner was

https://www.mhc.tn.gov.in/judis

WEB COPY

incorporated under the name and style of Manju Chemicals Private Limited. The record further discloses that the petitioner obtained registrations while functioning under the aforesaid corporate name. The certificate of incorporation pursuant to change of name indicates that the present name of the petitioner is Tiger Food Ingredients Private Limited. Pursuant to such change of name, the petitioner filed an application in Form TM P in respect of Trade Mark Nos.1198575, 4457411, 5614405 and 5603076. Once such application is filed, it is incumbent on the respondent to consider the same within a reasonable time. The contention of Mr.S.Janarthanam, learned SPC, that the petitioner rushed to Court without waiting for a reasonable time is not devoid of merit. Nonetheless, by taking into account the nature of the application, it is just and necessary that such application be considered and disposed of expeditiously.

5. For reasons set out above, W.P(IPD) No.23 of 2024 is disposed of by directing the respondent to consider and dispose of

https://www.mhc.tn.gov.in/judis

WEB COPY

the applications in Form TM P in respect of Trade Mark Nos.1198575, 4457411, 5614405 and 5603076 within ***six weeks*** from the date of receipt of a copy of this order. No costs.

05.09.2024

rna
Index : Yes / No
Internet : Yes / No
Neutral Citation: Yes / No

https://www.mhc.tn.gov.in/judis

WEB COPY

SENTHILKUMAR RAMAMOORTHY,J

rna

W.P(IPD) No.23 of 2024

05.09.2024

https://www.mhc.tn.gov.in/judis