

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 22ND DAY OF JUNE 2015/1ST ASHADHA, 1937

WP(C).No. 3792 of 2013 (Y)

PETITIONER(S) :

**P.J.SHYLAJA, AGED 43 YEARS,
W/O.NOUSHAD, PUBLISHER, THAMASHA MONTHLY,
KALYAN CHAMBERS, CHITTOOR ROAD, ERNAKULAM SOUTH,
COCHIN-682 016.**

**BY ADVS.SRI.M.M.MONAYE
SRI.M.PAUL VARGHESE
SRI.DESI MATTHAI**

RESPONDENT(S) :

- 1. POST MASTER GENERAL,
CENTRAL REGION, KOCHI-682 020.**
- 2. SENIOR SUPERINTENDENT OF POST OFFICES,
ERNAKULAM POSTAL DIVISION KOCHI-682 011.**
- 3. REGISTRAR OF NEWSPAPERS FOR INDIA,
O/O.THE REGISTRAR OF NEWSPAPERS FOR INDIA,
MINISTRY OF INFORMATION AND BROADCASTING,
WEST BLOCK-8, R.K.PURAM, NEW DELHI-110 066.**

BY ADV. SRI.N.NAGARESH, A S G OF INDIA

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 22-06-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS :

EXHIBIT P1: TRUE COPY OF THE CERTIFICATE OF REGISTRATION
DATED 15.12.2009.

EXHIBIT P2: TRUE COPY OF THE LETTER OF INTIMATION OF LICENCE
DATED 20.04.2010.

EXHIBIT P3: TRUE COPY OF THE LETTER DATED 11.03.2010 ISSUED BY
THE REGISTRAR OF NEWS PAPER.

EXHIBIT P4: TRUE COPY OF THE RENEWAL OF LICENCE DATED 12.11.2011.

EXHIBIT P5: TRUE COPY OF THE LETTER FROM 2ND RESPONDENT
DATED 04.12.2012.

EXHIBIT P6: TRUE COPY OF THE POSTAL COVER WHICH CONTAINED EXT.P5.

EXHIBIT P7: TRUE COPY OF THE ORDER DATED 11.01.2013.

EXHIBIT P8: TRUE COPY OF THE REPLY LETTER DATED 21.01.2013.

EXHIBIT P9: TRUE COPY OF THE LETTER FROM RNI DATED 23.01.2013.

EXHIBIT P10: TRUE COPY OF THE LETTER ADDRESSED TO RNI
DATED 02.02.2013.

EXHIBIT P11: TRUE COPY OF THE LETTER DATED 02.02.2013 TO
THE 2ND RESPONDENT.

EXHIBIT P12: TRUE COPY OF THE STATEMENT DATED 01.03.2010 PUBLISHED IN
THE MAGAZINE.

EXHIBIT P13: TRUE COPY OF THE RELEVANT PAGE OF THE MAGAZINE
CONTAINING THE NAME OF EDITOR DURING MARCH 2010.

EXHIBIT P14: TRUE COPY OF THE LETTER DATED 24.05.2013 ADDRESSED TO
THE 3RD RESPONDENT ENCLOSING THE DOCUMENTS.

EXHIBIT P15: TRUE COPY OF THE REMINDER REQUEST DATED 27.04.2015.

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

K. VINOD CHANDRAN, J.

W.P.(C) No. 3792 of 2013 (Y)

Dated this the 22nd day of June, 2015

J U D G M E N T

The petitioner herein, the publisher of a monthly magazine by name 'Thamasha', promoted by a cartoonist, is aggrieved with the withdrawal of concession applicable to the publication registered with the 3rd respondent.

2. The withdrawal of concession was made by the Department of Posts as per Ext.P7 on the ground that the Editor's name shown in the publication is changed. In such circumstance, the petitioner approached the 3rd respondent with Ext.P10 seeking for a communication evidencing that the name of the editor has been changed in the records of the 3rd respondent. Ext.P14 is a reminder to Ext.P10 communication. The present controversy arose only since the petitioner, who was issued with a license by the 3rd respondent, the validity of which is three years, had a change in editor within the validity period. The petitioner

had also submitted the original registration certificate before the 3rd respondent. The petitioner's eligibility for concession was coming up for renewal in December, 2015.

3. In such circumstance, what is required is a communication from the 3rd respondent to the Postal Department as to the change of editor having been recorded in the Register of Newspapers. The petitioner shall produce a copy of the judgment before the 3rd respondent and the 3rd respondent shall verify the records and inform the 1st respondent about the details of the name of the editor as entered in its register. The same shall be done within two weeks from the date of production of a certified copy of this judgment. The concession shall be continued and shall be withdrawn only if an adverse communication is received.

Writ petition is disposed of.

Sd/-
K.VINOD CHANDRAN,
JUDGE