

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.08.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. Nos.6912 of 2014 and 24185 of 2013
and M.P.Nos.1, 2 & 3 of 2014 and 1 & 2 of 2013

Kancheepuram Chamber of Commerce,
Rep. by its Secretary,
M.R.Narayanasamy. ... Petitioner in WP.6912/2014

1.C.N.Manoharan
2.T.Parthasarathy
3.E.L.Kannan
4.T.Karthikeyan ... Petitioners in WP.24185/13

-vs-

1.The State of Tamil Nadu,
Rep. by Secretary to Govt.,
Home Department, Fort St. George,
Chennai - 9.
2.The Registrar General
High Court, Chennai-104. .. Respondents in both WPs.

Petitions filed under Article 226 of the Constitution of India praying for issue of (i)WP.6912 of 2014 - Writ of Certiorarified Mandamus to call for the entire records in connection with the impugned Notification of the 1st respondent in G.O. Ms.No.1136 Home (Courts-II) dated 11.12.2013 published in the Tamil Nadu Government Gazette Part-II Section 2 in Notification VI dated 1.1.2014 and quash the said impugned notification and consequently direct the respondents to constitute the Family Court at Kancheepuram having jurisdiction for the entire District of Kancheepuram. (ii) WP.24185 of 2013 - Writ of Mandamus to direct the 1st respondent to declare the District Court at Kancheepuram as the Principal District Court.

For Petitioner in both WPs: Mr.R.Krishnamoorthy, Sr.C.
For Mr.M.Sriram

For Respondents : Mr.T.N.Rajagopalan,
Spl.G.P. For R1

: Mr.B.Vijay for R-2

C O M M O N O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The issue pertains to a claim that the District Court at Kancheepuram should be declared as a Principal District Court and that the Family Court at Chengalpet should have actually been set up at Kancheepuram.

2.We may notice at the inception that one of the petitions has been filed by the Kancheepuram Chamber of Commerce qua setting up of the Family Court, while the other is filed by four advocates seeking a declaration in respect of the description of the name. We really do not see how a public interest litigation can be maintained at the behest of a Chamber of Commerce in respect of where the Family Court should be located. As far as the lawyers' grievance is concerned, since they are not even working for the last two months, it makes no difference what the description of the Court is.

3.Learned counsel appearing for the second respondent has pointed out the history of the dispute by saying that the Courts were at Chengalpet where the Principal District Judge presides and a decision was ultimately taken to set up District Court No.2 at Kancheepuram under the same jurisdiction. Thus, there is District Court No.1 located at Chengalpet, while District Court No.2 is located at Kancheepuram. The description can, thus, not even said to be incorrect as what is at Kancheepuram is District Court No.2 of Chengalpet at Kancheepuram.

4.As far as the setting up of the Family Court is concerned, various factors taken into account administratively including the pendency of cases, etc. Not only that, it is pointed out to us that the distance between the two Courts is only 32 kms. If a need would arise for setting up of a Family Court at Kancheepuram based on the pendency of cases, that can always be examined administratively.

5.We are of the view that these litigations are only for the sake of litigation over unnecessary egos between different bars with third parties like Chamber of Commerce stepping into it.

5.We, thus, close the proceedings. No costs. Consequently, connected miscellaneous petitions also stand closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sra

To

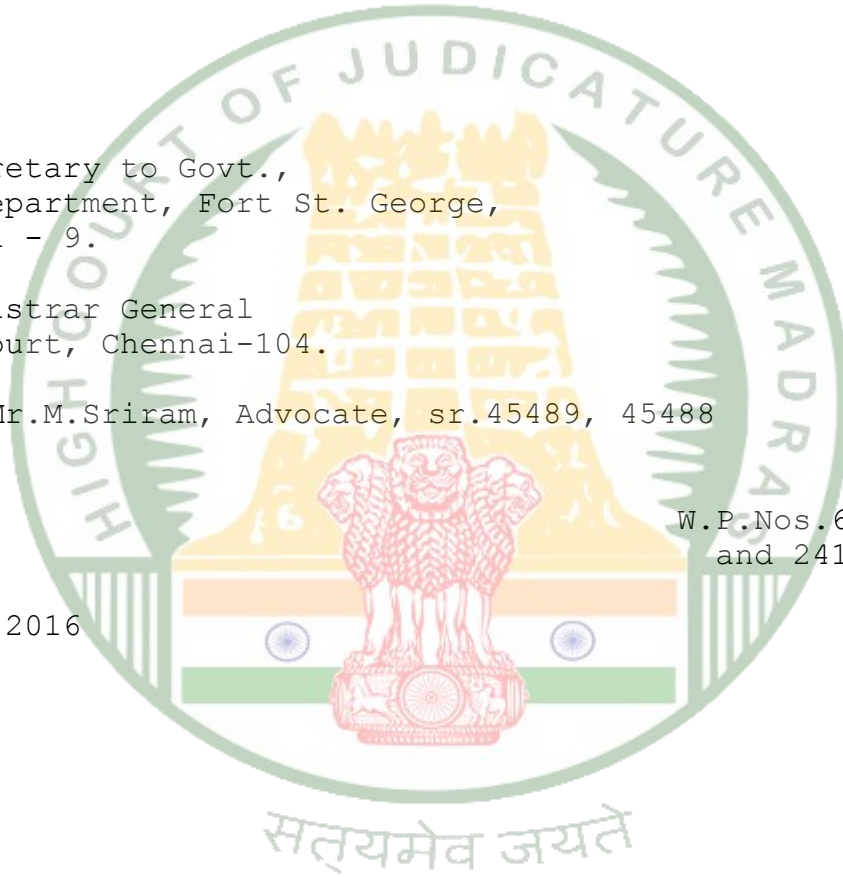
1.The Secretary to Govt.,
Home Department, Fort St. George,
Chennai - 9.

2.The Registrar General
High Court, Chennai-104.

2 ccs to Mr.M.Sriram, Advocate, sr.45489, 45488

W.P.Nos.6912 of 2014
and 24185 of 2013

vsn co
kra 23.08.2016



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