



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.33126 of 2018
and
W.M.P.No.38419 of 2018

P.A.Josseph

.. Petitioner

Vs.

1. The Election Commission of India,
Rep. by its Under Secretary,
Nirvachan Sadan,
Ashoka Road, New Delhi - 110 001.
2. All India Anna Dravida Munnetra Kazhagam (AIADMK),
No.226/275, Avvai Shanmugam Salai,
Llyods Road, Royapettah,
Chennai - 600014.
(R2 impeaded vide order dt.02.03.2022, made in
W.M.P.No.1617 of 2022 in W.P.No.33126/18)

.. Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India seeking a Writ of Certiorari calling for the records in respect of the impugned communication issued by the respondent vide F.No.56/105/LET/ECI/FUNC/PP/PPS-1/2018/325, dated 26.11.2018 and quash the same as illegal and unconstitutional and against their own guidelines as in so far as refusing to register the petitioner's proposed political party name namely, "JJayalalitha Party" in short "JJ Party" on par with others.

For Petitioner : Mr.R.Barnabas

For Respondent 1 : Mr.Niranjan Rajagopal

O R D E R

This writ petition has been filed challenging the orders passed by the Election Commission of India directing the petitioner to change the name of his party.

2. The grievance of the petitioner is that, he intended to start a political party and proposed the name of his party as



"J.Jayalalitha Party" in short "JJ Party". He submitted an application to the Election Commission of India seeking recognition. But the Election Commission of India did not approve the same and asked the petitioner to propose three alternative names to the Election Commission for consideration. The said order of the Election Commission of India is under challenging in this writ petition.

3. Mr.R.Barnabas, learned counsel appearing for the petitioner would submit that he may be permitted to submit alternative names to the Election Commission of India and the Election Commission of India may be directed to consider the same.

4. Mr.Niranjan Rajagopal, learned standing counsel for the Election Commission of India submitted that, in the event of, petitioner submits alternative names, the Election Commission will consider the same and pass suitable orders on merits.

5. Recording the said submission made by the learned counsel for the petitioner and learned standing counsel appearing for the Election Commission of India, this writ petition is closed, with liberty to the petitioner to approach the Election Commission of India by filing necessary affidavit giving three alternative names as required by the Election Commission of India, on filing of the affidavit, Election Commission is directed to consider and pass orders expeditiously. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

kk

To

The Under Secretary,
Election Commission of India,
Nirvachan Sadan, Ashoka Road, New Delhi - 110 001.

+1cc to M/s.G.R.Associates, Advocate, S.R.No.19621
+2ccs to Mr.R.Barnabas, Advocate, S.R.No.19745

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SSD(CO)
SU(11/05/2022) (16/05/2022)