



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2022

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .No.1861 of 2022

Tamil Nadu Arasu Ooliargal Sangam,
Represented by its
General Secretary,
J.Lakshmi Narayanan

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhom High Road,
Chennai - 600 005.

2.The District Registrar,
Madurai (South),
Mahal Road,
Madurai District.

3.Anbarasu,
S/o.Not known to the petitioner,
The President,
Tamil Nadu Government Employee's Association,
No.46, Theradi Street,
Triplicane,
Chennai - 600 014.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to take appropriate legal action against the third respondent and his supporters, those who are misusing the name of the petitioner's association and creating trouble in their meetings, protest, etc by considering the representation dated 20.12.2021 within the period stipulated by this Court.

For Petitioner	:	M/s.Saranya for Mr.N.Sathish Babu.
For R-1 and R-2	:	Mr.D.Ghandiraj, Special Government Pleader.

ORDER

Mr.D.Ghandiraj, learned Special Government Pleader, takes notice for the first and second respondents.



2. In view of the nature of the order passed, notice is not directed to the third respondent.

3. The Writ Petition has been filed in the nature of Mandamus seeking a direction to the first respondent / the Inspector General of Registration, Chennai, to take appropriate legal action against the third respondent / Anbarasu, whose identity is not known to the petitioner, but who is described as the President of the Tamil Nadu Government Employee's Association. The petitioner is Tamil Nadu Arasu Ooliargal Sangam and is represented by the General Secretary, having office at Madurai.

4. It is stated by the petitioner that the petitioner's Sangam has been registered, but the third respondent is misusing the name of the petitioner.

5. If the petitioner has a grievance against misuse of name, it is for the petitioner to initiate appropriate action in manner known to law as against the person or individual or Association, who/which is so misusing the name of the petitioner. This Court cannot direct the first respondent to take such action. The first respondent is certainly not aggrieved and need not be a party to the Writ Petition. It is only the petitioner who has grievances against the third respondent and the petitioner has to work out the remedies as against the third respondent in manner known to law. The Writ Petition is misconceived.

6. Accordingly, the Writ Petition is dismissed. However, this does not mean that the petitioner's rights are taken away. The petitioner has every right, to protect its name, its registration, to initiate necessary legal action or any other lawful method to proceed against the third respondent. There shall be no order as to costs.

Sd/-

Assistant Registrar(CRL SIDE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1.The Inspector General of Registration,
No.100, Santhom High Road,
Chennai - 600 005.

2.The District Registrar,
Madurai (South),
Mahal Road,
Madurai District.

+1 CC to M/s.SPL.GP (SR-3735[F] dated 02/02/2022)

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SB(CO)
TR(10.02.2022) 3P 4C