



CRP No.661 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2023

CORAM :

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No.661 of 2023

Tamil Nadu State Transport corporation Thozhilalar Munetra Sangam(LPF)
Rep by its General Secretary
B.Krishnan

....Petitioner

-Vs-

- 1.Tamil Nadu State Transport Corporation Thozhilalar Munetra Sangam,
Rep. President M.Rajendran.
- 2.M.Rajendran, TR 5504.
- 3.R.Balasubramani DR 6242.
- 4.C.Ashokan DR 7229.

.... Respondents

Prayer : Civil Revision Petition under Article 227 of the Constitution of India,
to direct the Principal Sub-Judge, Dharmapuri to take the O.S.S.R. No.181 of
2023 on the file and decide the same on merit.

For Petitioner : Mr.M.Selvam



ORDER

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This Civil Revision petition has been filed to direct the Principal Sub-Judge, Dharmapuri to take the O.S.S.R. No.181 of 2023 on the file and decide the same on merit.

2. The revision petitioner herein filed suit before the Principal Sub Judge, Dharmapuri, for the relief of permanent injunction and mandatory injunction and claiming damages from the respondents who are members of trade union they are misrepresenting themselves as office bearers and running the plaintiff's Trade Union. Further the respondent started Trade union under the name and style of Tamil Nadu State Transport Corporation Thozhilalar Munetra Sangam, which is similar and identical to the plaintiff's Sangam and also use registered number of the plaintiff's sangam in letter heads of the defendant's sangam. But the Trial Court misconstrued the same as if the dispute between the members of Trade Union and failed to consider the petitioner's explanation and returned the plaint on 07.02.2023. Hence the petitioner filed this petition.

3. On perusal of records, it reveals that the the petitioner's contention is that the respondent using the petitioner's trade Union name as Tamil Nadu State Transport Corporation Thozhilalar Munetra Sangam, and also using the register



CRP No.661 of 2023

number of the petitioner's Sangam in the letter heads of the respondent Sangam.

Hence, the petitioner Sangam filed suit for permanent injunction and other consequential relief against the respondent before the Principal Sub Judge, Dharmapuri, but the Trial Court refused to take case on file. This Court is of the view that it the case for injunction and it is very well within the jurisdiction of the said court. Hence, the Principal Sub Judge, Dharmapuri, is directed to take OS SR. No.181 of 2023 on file within a period of two weeks from the date of receipt of a copy of this order.

4. Accordingly this Civil Revision Petition is disposed of. No costs.

Consequently connected miscellaneous petition is closed.

13.03.2023

Index : Yes/No
Internet : Yes/No
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CRP No.661 of 2023

T.V.THAMILSELVI, J.
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CRP.No.661 of 2023

13.03.2023