



Writ Petition No.1769 of 2018

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the second respondent to issue prohibitory orders to forbear the fourth respondent from printing, publishing or in any manner circulating the Tamil weekly “Namathu Manasatchi” in view of the cancellation of its registration by the first respondent and the false declaration made by the fourth respondent in respect of place of publication, in violation of the provisions of the Press and Registration of Books Act, 1867.

For Petitioner	...	Mr.N.Kavitha Rameshwar
For respondents	...	Mr.Alagu Gowtham Government Advocate for R.R.2 and 3

ORDER

This writ petition has been filed to direct the second respondent to issue prohibitory orders to forbear the fourth respondent from printing, publishing or in any manner circulating the Tamil weekly “Namathu Manasatchi” in view of the cancellation of its registration by the first respondent and the false declaration made by the fourth respondent in respect of place of publication, in violation of the provisions of the Press and Registration of Books Act, 1867.



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2. Brief facts which are necessary for the disposal of this writ petition are as follows:-

The petitioner was working as an Associate Professor in the Department of Agricultural Economics and Extension in Pandit Jawaharlal Nehru College of Agricultural and Research Institute. Fourth respondent is the Owner, Publisher and Editor of the weekly newspaper called “Namathu Manasatchi”. The Registrar of Newspapers in India, New Delhi/first respondent has cancelled the Registration of Newspaper “Namadhu Manasatchi” and issued a letter, dated 28/9/2016. In the list published by the Registrar, name of the fourth respondent was not found. Therefore, it is clear that fourth respondent cannot publish the newspaper, as per sub-Section (2) of Section 10 of the Registration of Newspapers (Central) Rules, 1956. Vide, order, dated 3/4/2017, the second respondent, passed an order to stop the publication of newspaper, for the reason that the Registrar of Newspapers for India cancelled its Registration. But, the fourth respondent is continuing the publication. Being aggrieved, the petitioner has come forward with the instant writ petition praying for the relief as stated therein.



3. Heard Mr.N.Kavitha Rameshwar, learned counsel for the petitioner and Mr.Alagu Gowtham, learned Government Advocate for the respondents 2 and 3.

4. The learned counsel appearing for the petitioner submitted that even though several representations and complaints were made by the petitioner to the higher officials, no action has been initiated to stop the publication of “Namathu Manasatchi” newspaper, owned and published by the fourth respondent.

5. I have perused the materials available on record.

6. The first respondent has cancelled the registration of the fourth respondent's Newspaper, on 28/9/2016. Based on the said order, the second respondent had passed an order, dated 5/5/2017 prohibiting the fourth respondent from printing, publishing or circulating the newspaper “Namathu Manasatchi”. It is the stand of the petitioner that he has given several representations and complaints to the respondents, including the Lieutenant Governor of Puducherry, to stop the publication of newspaper.



7. However, a perusal of the materials reveal that the representation alleged to have been made by the petitioner is not before the respondents, but before the Collector of Chennai, who is not a party respondent. In such a view of the matter, if at all the petitioner has any grievance in the fourth respondent printing, publishing, circulating or selling the weekly newspaper “Namathu Manasatchi”, he has to make a complaint before the first respondent or he has to approach the competent Civil Court and not before the Collector of Chennai. Without doing so, the petitioner has approached this Court by way of a writ petition. In view of the above stated position, this Court is not inclined to grant the relief sought for by the petitioner.

8. Accordingly, this writ petition is dismissed. However, liberty is granted to the petitioner to approach the competent Civil Court to work out his remedy, in the manner known to law. No costs. Consequently, the connected Miscellaneous Petitions are closed.

9/3/2023

Index : Yes / No
Internet: Yes
Speaking/non speaking order
Neutral Citation: Yes/No

mvs.



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M.DHANDAPANI,J

mvs.

To

1. The Registrar of Newspapers for India
Ministry of Information and Broadcasting
Government of India
West Block VIII, Wing 2
R.K.Puram
New Delhi 110 066.
2. The District Magistrate-cum-Collector
Collectorate
Kamarajar Salai, Sakthi Nagar
Saram
Puduchery 605 013.
3. The District Magistrate-cum-Collector
Collectorate
No.1 Dupleix Street
Karaikal 609 602.

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9/3/2023