

W.P.No.24026 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 03.07.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.24026 of 2025

All India Overseas Bank Employees' Union
Represented by its General Secretary,
No.763, Anna Salai,
Chennai 600 002.

... Petitioner

Vs.

1. State of Tamil Nadu
Rep.by its Principal Secretary to Government
Ministry of Labour and Employment Secretariat,
Fort St.George,
Chennai - 600 009.

2. The Registrar of Trade Union,
Joint Commissioner of Labour - 1,
D.M.S.Complex Teynampet, Chennai - 600 006.

3. The Additional Registrar of Trade Unions -I,
Registrar of Trade Unions for the State of Tamil Nadu,
D M S Complex,
Chennai 600 006.

4. The Labour Commissioner,
Thozhil Bhavan,
Vikas Bhavan (P.O),
Thiruvananthapuram -695 033.



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5. Indian Overseas Bank Employees Union Kerala,
TC-55/2163-A, Viswambaram Road,
Pappanamcode, Trivandrum 695 018.

6. Mr. Suneesh,
General Secretary,
Indian Overseas Bank Employees Union Kerala,
TC-55/2163-A, Viswambaram Road,
Pappanamcode, Trivandrum 695 018.

..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the 4th respondent to consider the objections raised in the representations on 11.03.2025 and 15.04.2025 with regard to the registration of trade union in similar name.

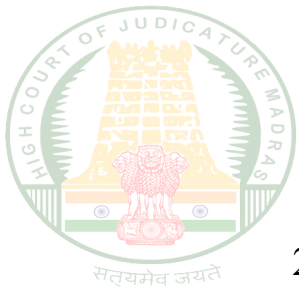
For Petitioner : M/s.C.Emalias

For Respondent : M/s.A.N.Purushotham, Spl. GP for R.1

ORDER

The above Writ Petition is filed for the following reliefs:-

" directing the 4th respondent to consider the objections raised in the representations on 11.03.2025 and 15.04.2025 with regard to the registration of trade union in similar name."



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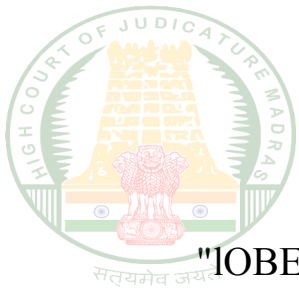
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2. The petitioner would submit that the name of the 'All-India Indian Overseas Bank Employees' Union' was changed to 'All India Overseas Bank Employees' Union', and the said change was duly registered by the 3rd respondent on 18.12.2000. The registration number assigned to the union is R.D.14929/2000.

3. The petitioner would submit that the Management of Indian Overseas Bank, for its administrative convenience, has constituted 50 Regional Offices across 28 States and 8 Union Territories in India. The petitioner union has its membership spread across all 28 States and 8 Union Territories, including the State of Kerala.

4. The petitioner would submit that the petitioner union, with over 76 years of existence, enjoys a distinguished reputation among banking trade unions and the general public.

5. The petitioner would submit that on going through social media, in the month of March 2025, it came to light that a few individuals were attempting to form a union in the name and style of



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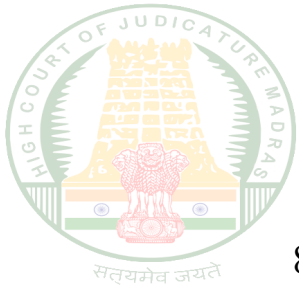
"IOBEU-KL". Thereafter, the petitioner as General Secretary of the

Union had written a letter on 11.03.2025 to the fourth respondent objecting to the registration of a trade union in the name of IOBEU-KL as it is identical and nearly resembles with the name of the Petitioner Union viz. AIOBEU. The Petitioner had also sent a reminder on 15.04.2025 to the fourth respondent.

6. On 02.06.2025, the fourth respondent had sent a reply stating as follows:-

"The State Labour department cannot take further action on the demand that another trade union whose name is similar to that of a Trade union registered with the Tamil Nadu Labour department not be registered in Kerala and there is no legal validity to check, whether the names of trade unions in two different states are similar".

7. Dissatisfied with the reply of the fourth respondent, the petitioner has filed the above Writ Petition.



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8. Heard the learned counsel for the petitioner and the learned Special GP appearing on behalf of the 1st respondent.

9. Section 7 (2) of the Trade Union Act, 1926 would read as follows:-

“ If the name under which a Trade Union is proposed to be registered is identical with that by which any other existing Trade Union has been registered or, in the opinion of the Registrar, so nearly resembles such name as to be likely to deceive the public or the members of either Trade Union, the Registrar shall require the persons applying for registration to alter the name of the Trade union stated in the application, and shall refuse to register the Union until such alteration has been made”.

10. In view of the above, the Writ Petition is allowed. The fourth respondent is directed to consider the objections raised by the petitioner in their representations dated 11.03.2025 and 15.04.2025



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with regard to the registration of trade union in similar name after issuing notice to respondents 5 and 6 and giving all the interested parties a personal hearing and thereafter pass a speaking order within a period of 2 months from the date of receipt of a copy of this order.

No costs.

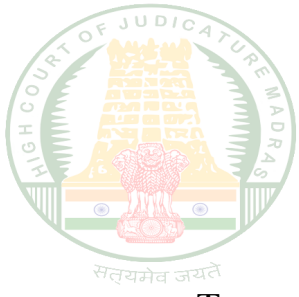
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(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No



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To

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Ministry of Labour and Employment Secretariat,
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P.T. ASHA. J.,

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