



WEB COPY



A.No.1449 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-06-2026

CORAM

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

A No. 1449 of 2025

in

C.S. DR. No. 148609 of 2024

All India Electricity Sports Control Board
Registration No.SRG/Chennai Central/221/2023
Registered under the Tamil Nadu Society Act, 1975
Represented by its General Secretary
Mr.K.Sivakumar, Having Registered Office at
No.800, Anna Salai, Chennai 600 002.

..Applicant(s)

Vs

1. Jignesh Ray
2. Mr.Lohit Anan
3. Mr.lalif Gaikwad
4. Mr.Naresh Kumar
5. Mr.J.K.Dahiya

All at 2nd Floor, Shakti Bhavan Sector 6,
Panchkula 134113-Haryana.

..Respondent(s)

To grant the Applicant/Plaintiff herein the leave to sue the Respondents/Defendants 1-5 who are situated at Panchkula, Haryana outside the jurisdiction of this Honble Court.

For Applicant(s): M/s.G.Vijayanand Associates
G.Vikash Anand
G.Nicul Anand



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Kiran Venkatesh
Vedhashri Narasa
S.Ganesh
R.Aparna
Akshara Kannan

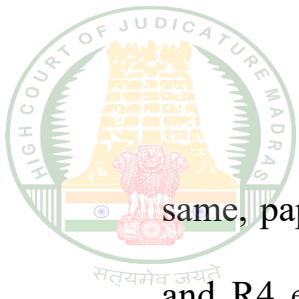
For Respondent(s): Mr. Mahesh Kumar for R1 & R3.
Mr. R. Vishnu for R4.
R2 & R5 – exparte.

ORDER

This application has been filed by the applicant/plaintiff seeking leave to sue the respondents/defendants, who are admittedly residing outside the jurisdiction of this Court at Panchkula, Haryana.

2. The plaintiff has filed the suit seeking permanent injunction restraining the defendants from using or utilising the name of the plaintiff association, namely, “All India Electricity Sports Control Board”. The plaintiff has also sought a direction for awarding a sum of Rs.1,01,00,000/- towards damages/costs for allegedly maligning the name, reputation and goodwill of the plaintiff association.

Notice was ordered to the respondents and private notice was also permitted. Since service could not be completed, fresh notices were ordered from time to time. Thereafter, on 12.01.2026, substituted service by paper publication was ordered in respect of the concerned respondents, returnable by 04.03.2026. Pursuant to the



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same, paper publication was effected on 25.02.2026 in “Dainik Bhaskar”. R1, R3 and R4 entered appearance through counsel. R2 and R5 did not appear despite service by paper publication and were set ex parte. R1 filed a counter opposing the grant of leave.

3. According to the plaintiff, the association is registered under the Tamil Nadu Societies Registration Act and has its registered office at Chennai. It is further averred that the defendants are using the name of the plaintiff association and thereby causing loss and damage to its reputation and goodwill.

4. The first respondent, in the counter, has denied the averments and has contended that no part of the cause of action has arisen within the jurisdiction of this Court. It is stated that the respondents are outside Tamil Nadu, the alleged acts are outside Chennai, and the plaintiff is relying only upon its registration at Chennai to invoke the jurisdiction of this Court.

5. The point for consideration is whether any part of the cause of action has arisen within the jurisdiction of this Court so as to grant leave to sue.

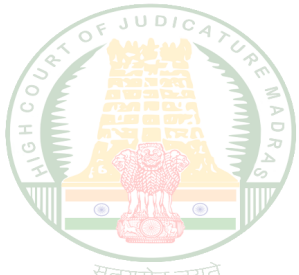


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6. On a reading of the plaint and the affidavit filed in support of this application, this Court finds that the dispute relates to the alleged use of the association name and the rival claims regarding the affairs of the association. The defendants are admittedly residing outside the jurisdiction of this Court. The material acts complained of are also not shown to have taken place within Chennai. Except the fact that the plaintiff association is registered at Chennai and has its registered office at Chennai, no material averment is made to show that any substantial part of the cause of action arose within the jurisdiction of this Court.

7. Mere registration of the plaintiff association at Chennai, by itself, cannot constitute cause of action. Cause of action must consist of material facts giving rise to the right to sue. In the absence of such material facts within the jurisdiction of this Court, leave cannot be granted.

8. Therefore, this Court is not satisfied that any part of the cause of action has arisen within the jurisdiction of this Court. The applicant/plaintiff is not entitled to leave to sue the respondents/defendants before this Court.



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9. Accordingly, A.No.1449 of 2025 is dismissed. No order as to costs.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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DR.A.D.MARIA CLETE, J.

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C.S. DR. No. 148609 of 2024**

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