

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON**

**THURSDAY, THE 31ST DAY OF JANUARY 2013/11TH MAGHA 1934**

**WP(C).No. 30701 of 2012 (K)**  
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**PETITIONER:**  
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**V.B. RAJAN, AGED 48 YEARS,  
S/O.BHARATHAN, VALIYATHARA HOUSE,  
ERATTAYAR P.O, IDUKKI DISTRICT,  
PRESIDENT, KERALA JOURNALIST UNION (KJU),  
STATE UNIT OF INDIAN JOURNALIST UNION,  
PAZHUNTHARA MATHILAKAM P.O, THRISSUR.**

**BY ADVS.SRI.A.X.VARGHESE,  
SRI.A.V.JOJO.**

**RESPONDENTS:**  
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- 1. STATE OF KERALA,  
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF HOME  
AFFAIRS, SECRETARIAT THIRUVANANTHAPURAM- 695 001.**
- 2. THE DIRECTOR GENERAL OF POLICE,  
THIRUVANANTHAPURAM- 695 001.**
- 3. THE SUPERINTENDENT OF POLICE,  
CIVIL STATION, AYYANTHOLE, THRISSUR- 680 001.**
- 4. C.V MITHRAN, CHETTZHATH HOUSE,  
EDAVILANGU P.O, KODUNGALLUR,  
THRISSUR DISTRICT- 680 671.**

**R1 TO R3 BY SR. GOVERNMENT PLEADER SRI. S. JAMAL.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 31-01-2013, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**Prv.**

**APPENDIX**

**PETITIONER'S EXHIBITS:**

- EXT.P1: TRUE COPY OF THE LETTER DATED NIL.
- EXT.P2: TRUE COPY OF THE COMMUNICATION ISSUED TO THE PETITIONER.
- EXT.P3: TRUE COPY OF THE COMMUNICATION DATED 27-11-2012.
- EXT.P4: TRUE COPY OF THE RELEVANT PAGES OF THE SOUVENIOR OF INDIAN JOURNALIST UNION PUBLISHED IN THE YEAR NOVEMBER 2011.
- EXT.P5: TRUE COPY OF THE PAPER REPORT DATED 16-10-2012 IN MALAYALA MANORAMA.
- EXT.P6: TRUE COPY OF THE NOTICE ISSUED ON NOVEMBER 2012 .
- EXT.P7: TRUE COPY OF THE LEGAL NOTICE DATED 20-10-2012.
- EXT.P8: TRUE COPY OF THE REPRESENTATION SUBMITTED TO THE 2ND RESPONDENT.
- EXT.P9: TRUE COPY OF THE REPRESENTATION SUBMITTED TO THE 3RD RESPONDENT.

**RESPONDENTS' EXHIBITS:** NIL.

**//TRUE COPY//**

**P.A. TO JUDGE**

**Prv.**

**P.R. RAMACHANDRA MENON J.**

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**W.P.(C) No. 30701 of 2012**  
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**Dated this the 31<sup>st</sup> day of January, 2013.**

**JUDGMENT**

The petitioner has approached this Court with the following prayers:

*i) Issue a writ of mandamus or appropriate writ, order or direction, directing the respondents 2 and 3 to conduct an enquiry on Ext. P8 and P9 and take appropriate action against the 4<sup>th</sup> respondent to restrain them from using the name of the petitioner's Union namely Kerala Journalists Union;*

*ii) Issue a writ of mandamus or appropriate writ, order or direction, directing the respondents 2 and 3 to ensure that the 4<sup>th</sup> respondent and others are not using the name of the petitioner's Union namely Kerala Journalists Union and collecting funds from the public and also conducting meetings in the name of petitioner's Union;*

*iii) To declare that 4<sup>th</sup> respondent is not entitled to use the name of the petitioner's Union namely Kerala Journalists Union;*

*iv) Issue such other reliefs that this Hon'ble Court deems fit and proper in the facts and circumstances of the case.*

2. Going by the pleadings and proceedings, this Court finds that the petitioner is complaining against the deeds and misdeeds stated as pursued by the 4<sup>th</sup> respondent, wrongly making use of the name/label of the petitioner, which, according

to the petitioner, is not correct or proper. This Court finds that the dispute, if at all any is not liable to be entertained by this Court invoking the discretionary jurisdiction under Article 226 and the remedy of the petitioner lies elsewhere. Interference is declined and the writ petition is dismissed without prejudice to the rights and liberties to pursue the matter before other appropriate forum.

**P.R. RAMACHANDRA MENON,  
(JUDGE)**

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