BOBY THOMAS
ADVOCATE
CHAMBER NO 712, KHCAA CHAMBER COMPLEX, NEAR HIGH COURT OF KERALA, ERNAKULAM- 682031
mailadvboby@gmail.com PH: 9946981123

Registered with A/D.

25/05/2023

To,
Indian Institute of Commerce Lakshya
KEJRA-72, Adv Easwara Iyer Rd, Shenoys,
Kochi, Kerala 682035

Under the instruction of and on behalf of my client Sri. John Lukose, Chartered Accountant, Choolackal building, Convent Junction,Cochin-11, Ernakulum dist. ; I do hereby issue to you the following notice:-

1. That my client came across brochures, booklets, various hoardings, advertisement slides in cinema theatre and ad in social medias published by you for marketing and promoting the courses of your education institution named Indian Institute of Commerce Lakshya claimed to be teaching chartered accountancy course, wherein you had used the name and photo of a well-known actor Sri Mohanlal to further your business. The matter published by you in the brochure/booklet /hoardings claims that you guarantee students to become chartered accountant at the age of 21. Moreover, you have falsely mentioned in your advertisement that ACCA is a Chartered Accountancy Course which is totally illegal and highly misleading. This course has no connection with the Chartered Accountancy Course and the students passing the exam if he falsely uses the designation of Chartered Accountant will render him liable for fine and imprisonment according to the Chartered Accountants Act 1949.

2. That my client is a renowned chartered accountant practicing in Kochi for the last 39 years. My client after well thorough research and readings found out that what you claim through the advertisement is false and you are having dubious intentions to cheat the students and parents through these advertisements. My client also found out that your course is not recognized nor approved by the Government of India and is nothing to do with

the profession of Chartered Accountants. That your action of using the statements of a renowned actor is only to dupe students and their parents for monetary benefits alone. You at any circumstances is not authorized to use the 'chartered accountant' name in your advertisement.

3. That your act is intended to market and promote the courses you offer by misleading the general public. The false advertisement of your product using the wrong statement of a renowned actor to the general public is illegal and unwarranted. This act of yours has tarnished the image of Chartered Accountant in general and my client in particular before his colleagues as well as others in the society. Your action has lead people of ordinary intelligence in society to believe that chartered accountancy courses and the course you offer (ACCA) are of the same value.
4. That you used the name of Chartered Accountant which according to Chartered Accountants Act 1949 has clearly stated in its section 2 (1)(b) that he / she shall be a member of the Institute of Chartered Accountants of India. My client who is a practicing chartered accountant has also found that you have no acquaintance with the Institute and hence your act is with malice and fraud. On seeing the brochure/booklet / hoardings published and circulated by you in Ernakulum district so many people looking to find a career in accountancy field happened to have read it. Your act in publishing brochure/booklet/hoardings which has widely circulated and viewed by innumerable persons with the name of Sri Mohanlal has created a devalued impression about the Institute of Chartered Accountants of India. The statement made has lowered the reputation and goodwill of my client and the Institute. You have intentionally published such brochure/ booklet fully knowing well that it was not with the consent of the Institute of Chartered Accountants of India.
5. That you have deliberately chose to use misleading statement through a well-known actor and thereby you have misled the consumers/students into thinking that they are buying a good product when in fact they are not. It is pertinent to note that the courses you offer in your advertisement is not Chartered

Accountancy Course. A Chartered Accountant is a person who has completed practical training as provided in the Chartered Accountants Regulation and passed the final examination as specified in schedule B of the Chartered Accountants Act 1949. The Institute of Chartered Accountants of India formed as per the Chartered Accountant Act 1949 has not entrusted you to teach any course for students to become Chartered Accountant also.

6. Hence you are called upon to immediately withdraw statement in all the brochures/booklets / hoardings etc. made by you with the name of Mr Mohanlal by which you had intentionally tried to gain monetary benefits. I further call upon you to tender an unconditional public apology to my client to his satisfaction through print and electronic media with regard to the publication of said brochure/booklet/ hoardings. The false advertisements made by you leads to criminal offences such as misconduct of publisher or otherwise public advertisement containing false and misleading statement made with the intention recklessly to promote the sale of your product to the public. Your act will also lead to offences under Intellectual Property Act, Consumer Protection Laws as well as provisions of Indian Penal Code. Further, you are called upon to pay the damages caused to my client on account of his tarnished reputation by your act at Rs.25 Lakhs which you should pay to my client with immediate effect. In case of failure to comply with the requirements in this notice within a period of fifteen days of receipt of this legal notice, you shall render yourselves jointly and severally liable to face appropriate civil as well as criminal proceedings under the relevant provisions of law at your risk as to cost and consequences.

Dated this 25th day of May, 2023.

Boby Thomas
Advocate