IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.25476 of 2016
and W.M.P.No.21799 of 2016

Madurai Mavatta Devendrakula
Velalar Uravinmurai Sangam,
Rep. By its President, C.Selvakumar. .. Petitioner

-vs-

1.The Union of India,
Rep. By its Secretary,
Ministry of Information and Broadcasting,
New Delhi.

2.The Chairman,
Press Council of India,
New Delhi.

3.The Chairman,
National Commission of Schedule Caste /
Schedule Tribe, New Delhi.

4.The Secretary,
Home Department,
Govt. of Tamil Nadu,
Fort St. George, Chennai-1.

5.The Director General of Police,
Kamarajar Salai, Mylapore, Chennai-4.

6.The Commissioner of Police,
Greater Chennai, Vepery, Chennai.

7.The Editor
Daily Thanthi Newspaper (Tamil)
Poonamalli High Road, Chennai.

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8.The Editor,
Nakkeeran Weekly, Chennai. .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents 1 and 2 to ban the daily newspaper namely Daily Thanthi newspaper and weekly Nakkeeran for having violated the Press Code and Ethics and directing the 3rd respondent to issue necessary direction to the respondent no.6 to register the case as per the provisions of the Prevention of Civil Rights (SC/ST Atrocities) Act, as against the respondents no.7 and 8 based on the petitioner's association representation dated 06.07.2016 made to the respondents 1 to 6.

For Petitioner : Mr.K.Kannan

For Respondents : Mr.Su.Srinivasan,
Asst. Solicitor General, for R-1
: Mr.S.T.S.Murthi,
Govt. Pleader, assisted by
Mr.V.Shanmugasundar, G.A.
For RR 4 to 6.

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

An unfortunate crime took place which ultimately resulted in the apprehension of the accused. The matter is under investigation and the accused has been remanded to judicial custody. In press, some statements have appeared on behalf of the family members of the accused qua the medical condition of the accused making allegations against the police.

2.It is in the aforesaid circumstances that the petitioner, a caste association, seeks to unfortunately rake up the issue on caste basis rather than the social aspect of the crime. The only aspect which is sought to be urged is that in the process aforesaid, the media people has forcibly entered the premises of the family members of the accused. This is stated to be without the consent of the family members. On that basis, a writ of mandamus is sought directing the Union of India and the Press Council of India to issue necessary directions to register cases and ban the publications.

3.To our mind, such a petition is not maintainable. If there are affected people who are of the belief that there has been an invasion of their privacy, then they have to start the process in law for the same. If it is perceived that any press people have acted beyond the parameters permissible, then they

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would have to give a complaint to the Press Council of India. The issue cannot be styled as a public interest litigation by an association to come to Court.

4.Writ petition is, thus, dismissed and it is for the affected persons, if so advised, to take the appropriate legal process in accordance with law. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sra

To

1.The Union of India,
Rep. By its Secretary,
Ministry of Information and Broadcasting,
New Delhi.

2.The Chairman,
Press Council of India,
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3.The Chairman,
National Commission of Schedule Caste /
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4.The Secretary,Home Department,
Govt. of Tamil Nadu,
Fort St. George, Chennai-1.

5.The Director General of Police,
Kamarajar Salai, Mylapore, Chennai-4.

6.The Commissioner of Police,
Greater Chennai, Vepery, Chennai.

+1cc to Mr.K. Kannan, Advocate, S.R.No.41852
+1cc to Mr.A. Murugan, Advocate, S.R.No.41822
+1cc to the Government Pleader, S.R.No.41583

LRS(CO)
EU(08/08/2016)

W.P.No.25476 of 2016

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