

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.2272 OF 2013

DATED : 16.06.2017

Between :

Dr.Elchuri Venkat Rao S/o.Mukkanti,
Aged about 59 yrs, R/o.Plot No.143,
Sri Swamy Ayyappa Society,
Madhapur, Hyderabad.

..

Petitioner

And

Mr.L.P.Vajpayee,
Managing Director,
R.K.News Private Limited,
6-12/6, Sai Iswarya Enclave,
Near Parvathapur Gram Panchayath Office,
Parvathapur Village, Ghatkesar Mandal,
Ranga Reddy District

..

Respondent



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.2272 OF 2013

ORDER :

In W.P.No.37596 of 2013 petitioner alleged that on 19.12.2013 a telecast was made against the petitioner damaging his honour and reputation. A complaint was lodged with the Cyberabad Police Commissionerate. But no action was taken. Alleging the same, the said writ petition was instituted. Petitioner contended that the 3rd respondent-T.V.Channel was repeating the telecast of what was shown a day before and therefore, he sought for direction to restrain the 3rd respondent from telecasting the defamatory news item.

2. On 20.12.2013 at request of learned Government pleader the writ petition was adjourned to 26.12.2013 and taking note of the submissions made by learned counsel for the petitioner, the 3rd respondent was restrained from telecasting the defamatory programme against the petitioner until further orders.

3. Alleging that inspite of the directions issued by this Court and even though a copy of the order was served on the 3rd respondent, the telecast was continued and therefore, there is clear violation of the directions issued by this Court, this contempt is filed.

4. In response to the allegations made the respondent/alleged contemnor filed counter affidavit. In para 13, he deposed as under:

“It is submitted that, the respondent herein is a law abiding citizen and would never venture to disobey the orders passed by this Hon’ble

Court. The respondent herein has got highest respect to the order passed by this Hon'ble Court. The telecast was only when the respondent and the News Channel did not have knowledge of the order of the Hon'ble Court. The News Channel did not telecast the news item concerning the petitioner after knowledge of the Order passed by this Hon'ble Court. The respondent and the News Channel had knowledge of the order only on 23.12.2013. Therefore, the allegations made by the petitioner are un-substantiated, concocted and hereby denied."

5. When the matter is taken up, learned counsel representing the 3rd respondent in the writ petition and sole respondent in the present contempt case submits that the news channel itself was subsequently closed and is not being operated and the respondent in this contempt case left the Organization and he is also not presently living in the State of Telangana.

6. Earlier the matter was adjourned to ascertain the clear proof of service of order of this Court. There was some dispute regarding effective service of order before the telecast was taken up.

7. However, having regard to the statement made in Para No.13 of the counter and in view of the subsequent developments as reported by learned counsel representing the 3rd respondent in the writ petition, this Court is not inclined to proceed further in the matter and taking the statement made in para No.13 of the counter affidavit on record, the Contempt case is closed. However it is left open to the petitioner to raise all pleas as available in law, in the pending writ petition. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this contempt case shall stand closed.

16th June, 2017
Rds

P.NAVEEN RAO,J