

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1561 OF 2017

Mr.Pawan s/o. Ramshanker Singh and another. ... Petitioners.

V/s.

Union of India and others. ... Respondents.

Mr.Anand Mishra i/b. Mr.A.M.Saraogi for the petitioners.

Mr.Sukanta Karmakar, AGP for the respondent

CORAM : A.S.OKA AND M.S.SANKLECHA, JJ.

DATE : 29<sup>th</sup> March 2019

P.C.:

Prayers (A) and (B) of the writ petition read thus:

(A) that this Hon'ble Court be pleased to issue appropriate writ, order and directions directing the Respondent Nos.1 and 2 to forthwith make necessary laws and/or implement the existing law for the purpose of controlling and exhibition of the programmes on the channel of YOU TUBE, on such terms as this Hon'ble Court may deem fit and proper in the matter.

(B) this Hon'ble Court be pleased to issue appropriate writ, order and directions or directions by way of interim order directing the Respondent No.3 to forthwith remove and/or withdraw all the programmes wherein no consent of the Petitioners have been taken and also where the name of the petitioners and/or their photographs are appearing in other programmes which are not censored by the concerned authorities on such terms as this Hon'ble Court may deem fit and proper in the matter.

2. As far as first part of prayer clause (A) is concerned, the petitioners are seeking a writ of mandamus compelling the Union and the State Legislatures to legislate in a particular manner. Such a mandamus cannot be issued. Second part of the said prayer is regarding implementation of “existing law”. The petitioners have not pointed out which is the existing law of which they are seeking implementation. If, according to them, any such existing law enjoins the first or second respondents or both of them to take action in accordance with law, the petitioners can always approach the concerned authority under such enactment with a representation.

3. As far as prayer clause (B) is concerned, the petitioners are seeking writ of mandamus against YOU TUBE which is not a State under the provisions of Article 12 of the Constitution of India.

4. Subject to what is observed above, this petition cannot be entertained and the same is accordingly disposed of. However, remedies of the petitioners are kept open.

(M.S.SANKLECHA, J.)

(A.S.OKA, J.)