

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.Nos.5131 & 5132 of 2012
and

M.P.Nos.1 & 1 of 2012

&
WMP.Nos.17029 & 17030 of 2017

B.Kolappan

Author

"The Hindu"

Kasturi & Sons Limited,

Plot B-6 & B-7,

CMDA Industrial Complex,

Maraimalai Nagar, Chengalput Taluk,

Kancheepuram District - 603 209

.... Petitioner in

W.P.No.5131 of 2012

N.Ram,

Editor-in-Chief, Printer & Publisher

"The Hindu"

Kasturi & Sons Limited,

Plot B-6 & B-7,

CMDA Industrial Complex,

Maraimalai Nagar, Chengalput Taluk,

Kancheepuram District - 603 209.

..Petitioner in

W.P.No.5132 of 2012

Vs.

1. Union of India

Rep.by its Secretary to Government
Ministry of Law and Company Affairs,
Shastri Bhavan, New Delhi - 110 001.

2. State of Tamil Nadu

Rep.by its Secretary to Government
Public Department, Fort St. George,
Chennai - 600 009.

3. The City Public Prosecutor,
City Civil Court Buildings,
Chennai - 600 104.

...Respondents in both Wps.

Prayer: Writ petition filed under Article 226 of the Constitution of India for writ of Declaration or any other appropriate Writ, Order or Direction declaring the provisions of Sections 499, 500 & 501 of the Indian Penal Code as unconstitutional, ultra vires and illegal, in so far as it criminalizes the speech or expression or publication made by the press and media while reporting a news event.

For Petitioner : M/s.R and P Partners
in both Wps.

For Respondent : Mr.K.Gunasekar
No.1 in both Wps. SPCCG

For Respondent : Mr.A.Kumar
Nos.2 & 3 in both Wps. AAG, Assisted by
K.Ravi Kumar
Additional Govt.Pleader

COMMON ORDER

The learned Additional Advocate General submits that these writ petitions are not maintainable, since the validity of Sections 499, 500 & 501 IPC was challenged earlier and the validity of the same was upheld by the Hon'ble Supreme Court in the case of Subramanian Swamy Vs. Union of India, Ministry of Law and Others reported in (2016) 7 Supreme Court Cases 221. According to him, in view of the same, these writ petitions have to be dismissed.

2.The learned counsel of the petitioners agrees with the submissions of the learned Additional Advocate General.

3.Accordingly, in view of the judgment of the Hon'ble Supreme Court referred to above reported in (2016) 7 Supreme Court Cases 221, these writ petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

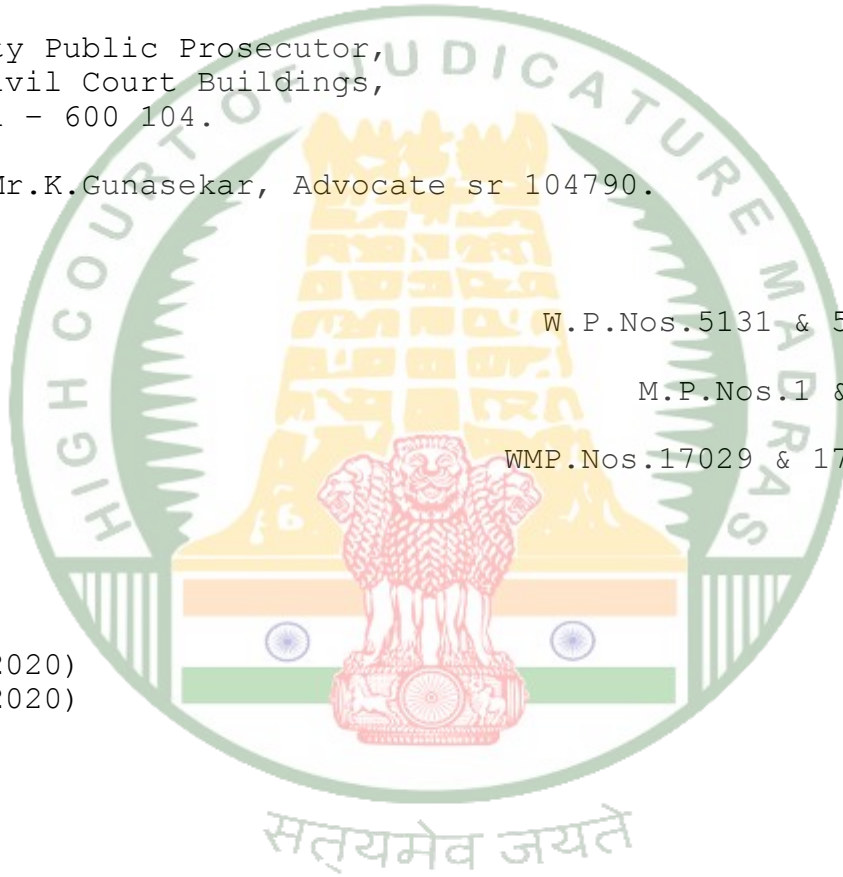
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To

1. Union of India
Rep.by its Secretary to Government
Ministry of Law and Company Affairs,
Shastri Bhavan, New Delhi - 110 001.
 2. State of Tamil Nadu
Rep.by its Secretary to Government
Public Department, Fort St. George,
Chennai - 600 009.
 3. The City Public Prosecutor,
City Civil Court Buildings,
Chennai - 600 104.
- +1 CC to Mr.K.Gunasekar, Advocate sr 104790.

W.P.Nos.5131 & 5132 of 2012
and
M.P.Nos.1 & 1 of 2012
&
WMP.Nos.17029 & 17030 of 2017

BS (CO)
NR (17/02/2020)
SP (12/03/2020)



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