

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.5403 of 2017 and
W.M.P.Nos.5729 and 5730 of 2017

SRM University
represented by its Registrar,
SRM Nagar, Kattankulathur,
Kancheepuram - 603 203.

... Petitioner

-Vs-

1. The Nodal Officer,
Department of Information and Technology
Fort St. George, Secretariat, Chennai- 600 009.
2. The Chief Secretary,
Government of Tamil Nadu,
Fort St. George, Secretariat, Chennai - 600 007.
3. The Commissioner of Police,
Greater Chennai, Chennai - 600 007.
4. The Superintendent of Police,
Kancheepuram District, Kancheepuram.
5. The Designated Officer,
Cyberlaw Division in the Department
of Information Technology,
Ministry of Communications and Information
Technology, Government of India,
Electronics Niketan, सत्यमेव जयते
No.6, Central Government Officers Complex,
New Delhi - 110 003.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to forward the petitioner's representation dated 07.02.2017 along with its report to the 5th respondent and consequently direct the 5th respondent to block the 23 fake websites (the list annexed herewith) under the provisions of the Information Technology Act and the rules framed thereunder.

ENCL: XEROX COPY OF LIST OF 23 WEBSITES ENCLOSED

For Petitioner : Mr.R.Ganesh Kumar

For RR 1 to 4 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

For R5 : Mr.J.Madanagopal

ORDER

The writ petition has been filed seeking a direction directing the respondents 1 and 2 to forward the petitioner's representation dated 07.02.2017 along with its report to the 5th respondent and consequently direct the 5th respondent to block the 23 fake websites (the list annexed herewith) under the provisions of the Information Technology Act and the Rules framed thereunder.

2. The grievance of the petitioner that the fake website viz., <http://www.srmuniversityadmission.com> has been engaged in admitting students of various parts of India for academic courses to various universities including SRM University. Moreover, the petitioner/university has lodged a complaint to the Nodal Officer, Department of Information Technology and the Chief Secretary, Government of Tamil Nadu, Fort St., George, Secretariat, Chennai - 600 009, under Section 69A of Information Technology Act, 2000 (As amended). No steps have been taken in this regard so far. Hence, the petitioner come out with the present writ petition before this Court.

3. Now, almost two years have lapsed and hence, due to the lapse of period, the prayer sought for by the petitioner cannot be granted now.

4. The respondents 1 and 2 are directed to consider the representation dated 07.02.2017 submitted by the petitioner and forward the same to the 5th respondent/Designated Officer for appropriate action and the petitioner is also at liberty to submit a fresh representation along with connected documents to the first respondent/Nodal Officer.

5. Considering the facts and circumstances of the case, the petitioner is also directed to file a fresh representation along with connected documents to the first respondent/Nodal Officer so that the first respondent can pass orders on the petitioner's institution and the entire exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

6. With the above directions, the writ petition is

disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

msmmsm

To

1. The Nodal Officer,
Department of Information and Technology
Fort St. George, Secretariat, Chennai- 600 009.
2. The Chief Secretary,
Government of Tamil Nadu,
Fort St. George, Secretariat, Chennai - 600 007.
3. The Commissioner of Police,
Greater Chennai, Chennai - 600 007.
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Kancheepuram District, Kancheepuram.
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Cyberlaw Division in the Department
of Information Technology,
Ministry of Communications and Information
Technology, Government of India,
Electronics Niketan, No.6,
Central Government Officers Complex,
New Delhi - 110 003.

+1 cc to Mr.R.Ganesh Kumar, Advocate, Sr.No. 19526

+1 cc to Mr.J.Madanagopal Rao, Advocate, Sr.No. 19687

W.P.No.5403 of 2017

PA(CO)
CSL/08.05.2019

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