

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No. 7461 of 2020

ASA. Umar Farooq

.. Petitioner

Vs

- 1.The Union of India
Through its Secretary,
Ministry of Home Affairs,
Government of India,
North Block, New Delhi - 11.
- 2.The Union of India,
Through its Secretary,
Ministry of Home Affairs,
Government of India,
Shastri Bhavan, New Delhi - 11.
- 3.The Tamilnadu State
Rep by its Chief Secretary,
Secretariat, St.George Fort,
Chennai - 600 001.
- 4.The Principal Secretary,
Media and Public Relations Department,
Secretariat, St.George Fort,
Chennai - 600 001.
- 5.The Principal Secretary,
Family and Health Department,
Secretariat, St.George Fort,
Chennai - 600 001.
- 6.The Principal Secretary,
Information Technology Department,
Secretariat, St.George Fort,
Chennai - 600 001.

7.The Home Secretary,
Secretariat, St.George Fort,
Chennai - 600 001.

8.The Director General of Police,
Government of Tamil Nadu,
Kamaraj Salai, Chennai - 600 001.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to stop communalism in COVID - 19 virus issue by linking the spread of the virus with Muslim Community and consequently by directing the respondents to identify the sections of Media for terming COVID - 19 Virus as "Corona Jihad", "Corona Terrorism", "Islamic Insurrection", "Corona Bombs", and issue strict directions against all sections of media to strictly comply, the letter and spirit with the directions of the Supreme Court dated 31.03.2020 in W.P.(Civil) No.486 of 2020.

For Petitioner ... Mr.A.Raja Mohammed

For Respondents ... Mr.R.Sankaranarayanan
ASG for R1,R2
Mr.V.Jayaprakash Narayanan
Government Pleader
for R3 to R8

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

This public interest litigation has been filed by the petitioner, inter alia, alleging that certain sections of the media are indulging in communalism with respect to the spread of COVID-19 virus and, therefore, appropriate action will have to be taken in light of the order of the Apex Court in W.P.(C) No. 486 of 2020 dated 31.03.2020.

2. In the counter affidavit filed on behalf of eight respondent, it has been stated that about 159 criminal cases have been registered under the provisions of the Disaster Management Act, 2005, Information Technology Act, 2000 apart from the offences punishable under the provisions of Indian Penal Code against the named individuals.

3. Learned counsel appearing for the petitioner submitted that action taken is not sufficient and the guidelines are not followed.

4. We have perused the records and the affidavits filed. Action has indeed been taken by the eight respondent against several persons. This Court cannot conduct a roving enquiry into the alleged offences committed by the individuals who are not even before us. If the petitioner or other defacto complainant have got any evidence and if the law so permits, they can do so, by taking appropriate action against the individual persons.

5. With the aforesaid observation, the writ petition stands closed. No costs.

Sd/-

Assistant Registrar (Writ)

//True Copy//

Sub Assistant Registrar

mmi/ssm

To

- 1.The Secretary,
Ministry of Home Affairs,
Government of India,
North Block, New Delhi - 11.
- 2.The Secretary,
Ministry of Home Affairs,
Government of India,
Shastri Bhavan, New Delhi - 11.
- 3.The Chief Secretary,
Secretariat, St.George Fort,
Chennai - 600 001.
- 4.The Principal Secretary,
Media and Public Relations Department,
Secretariat, St.George Fort,
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- 5.The Principal Secretary,
Family and Health Department,
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- 6.The Principal Secretary,
Information Technology Department,
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Chennai - 600 001.

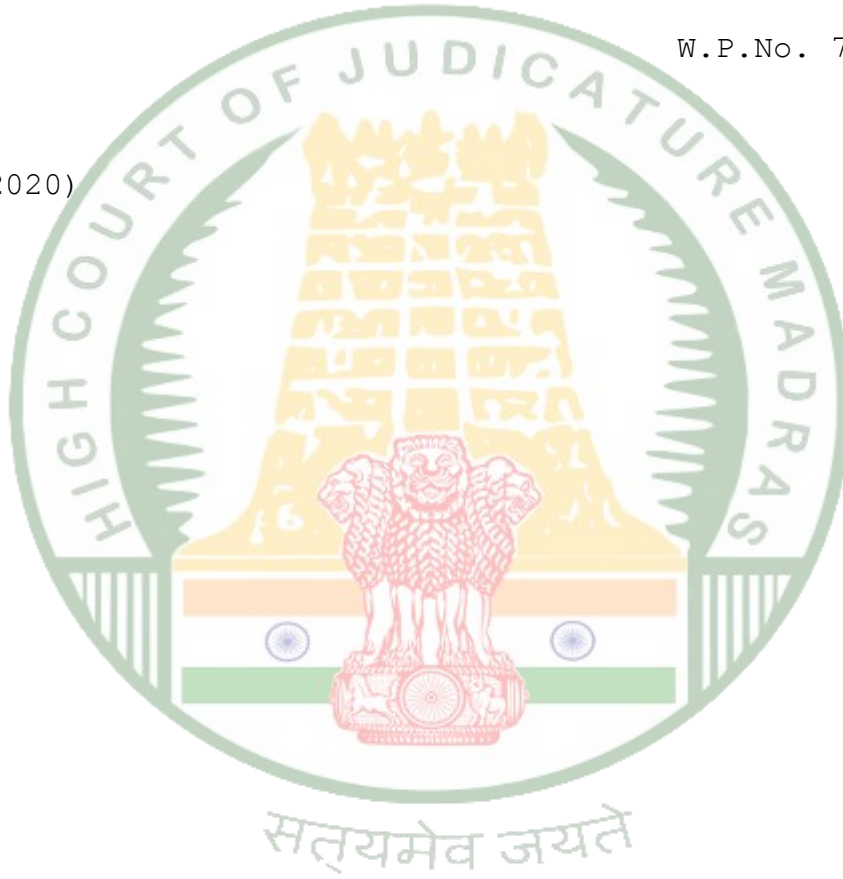
7.The Home Secretary,
Secretariat, St.George Fort,
Chennai - 600 001.

8.The Director General of Police,
Government of Tamil Nadu,
Kamaraj Salai, Chennai - 600 001.

+lcc to the Government Pleader, S.R.No. 25278

W.P.No. 7461 of 2020

SSV(CO)
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