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Application No.2426 of 2022
in C.S.No.240 of 2021

C.V. KARTHIKEYAN, J.

This application has been filed by the second defendant in the suit seeking re-examination of the issues already framed on 12.04.2022.

2. The first relief sought in the suit is claim for damages as against the defendants. The 1st defendant had been set ex-parte. The 2nd defendant is contesting. The 2nd defendant is an intermediary. In view of this particular fact, the first issue (a) in the issues already framed on 12.04.2022 is re-framed as follows:-

(a) Whether the 1st and 2nd defendants are jointly and severally liable to pay a sum of Rs.5,00,00,000/- to the plaintiff towards damages and compensation.

3.This issue would be in substitution of the first issue (a) framed on 12.04.2022.



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(i). *Whether the plaintiff has any cause of action as against the 2nd defendant?*

(ii) *Whether the 2nd defendant can be categorized as an intermediary under the provisions of the Information Technology Act, 2000 ?*

(iii) *Whether, if the 2nd defendant is categorized as an intermediary, the 2nd defendant has discharged its obligation of due diligence before uploading the contents complained by the plaintiff and after receiving complaints from the plaintiff ?*

(iv) *Whether the 2nd defendant is entitled for immunity under Section 79 of the Information Technology Act, 2000?*

5. List of documents and witnesses shall be filed within two weeks. Post the matter before the learned Additional Master No.II for commencement of recording of evidence by the plaintiff on 19.10.2022.

27.09.2022
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