



Rev.A.No.175 of 2021 etc.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 16.03.2022

Coram:

THE HONOURABLE MR.MUNISHWAR NATH BHANDARI, Chief Justice
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Rev.A.No.175 of 2021 (in W.P.No.32091 of 2019)
and
W.P.No.31647 of 2019

A.G.Ponnmanickavel,
The Inspector General of Police,
Idol Theft Wing CID,
Old Sipcot Building,
Industrial Estate,
Guindy, Chennai.

.. Petitioner in Rev.A.No.175 of 2021

Vs.

1. Mr.S.Sekaran
2. The State of Tamil Nadu,
Represented by its Secretary to Government,
Home Department,
Fort St.George, Chennai.
3. The Director General of Police,
CB CID Old Commissioner Office,
Egmore, Chennai.
4. The Additional Director General of Police,
Idol Wing CID,
Office Campus of EOW,
Industrial Estate, Guindy,
Chennai.
5. The Secretary,
Information and Public Relationship Department,
Government of Tamil Nadu,
Fort St.George, Chennai.



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6. Press Council of India,
Represented by its Secretary,
OM-Plaza, Sector 19,
Indra Nagar,
Lucknow, Uttar Pradesh.
7. Madras Union of Journalists (MUJ),
No.8, Ritchie Street,
Narasingapuram,
Chintadripet,
Anna Salai, Chennai.
8. The Madras Reporters Guild,
Omandurar Government Estate,
Chennai.
9. Chennai Press Club,
Navalar Nagar,
Chepauk,
Triplicane, Chennai.
10. Audit Bureau of Circulations (India),
4th Floor, Wakefield House,
SS Ram Gulam Marg,
Ballard Estate, Fort Mumbai,
Maharashtra, India.
11. S.Manikandan,
Reporter, Sun Network,
64/31, Cheriyan Nagar,
1st Street, New Washermanpet,
Chennai.
12. The Registrar of Newspapers for India,
9th Floor, Soochna Bhawan,
Lodhi Road, CGO Complex,
New Delhi, Delhi.
13. Union of India,
Represented by its Secretary,
Ministry of Information and Broadcasting,
Room No.552, A-Wing,
Shastri Bhawan, New Delhi.



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14. Sandhya Ravishankar
15. J.Jayabathuri
16. D.Prakash
17. Prathibha Parameswaran
18. Sanjay RAO

19. V.Anbazhagan,
Editor cum Managing Director,
Makkal Seithi Mayyam,
News (OPC) Pvt. Ltd.,
No.13/9, Malliyam Narasimhan Street,
Poonamallee, Chennai.

20. Working Journalists Union of Tamil Nadu,
Represented by its State President
A.Baranabas Sagayaraj,
No.14, Old No.260, Peter Road,
2nd Floor (Near Mirsahibpet Market),
Royapettah, Chennai.

21. Thalamai Seyalaga Anaithu
Pathirikaiyalarkal Sangam,
(Secretariat All Journalists Association),
Represented by its State President K.Kumar

22. Tamil Nadu Union of Journalists,
Represented by its State President D.S.R.Subash
.. Respondents in Rev.A.No.175 of 2021

Review Application filed under Article 226 of the Constitution of India and Order 47 Rule 1 CPC to review the order dated 19.08.2021 passed in W.P.No.32091 of 2019 on the file of this Court.

For Review Applicant: Mr.V.Selvaraj

For respondents : Mr.Hasan Mohammed Jinnah,
Public Prosecutor for RR-3 and 4

Mrs.R.Anitha, Government Advocate for RR-2 & 5



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Mr.S.Sekaran

.. Petitioner in W.P.No.31647 of 2019

Vs.

1. The Director General of Police,
Tamilnadu, Mylapore, Chennai.
2. The Director General of Police,
CB CID,
Old Commissioner Office,
Egmore, Chennai.
3. Airavath Trust rep. by S.Sridharan,
B1, Srinivasan Apartment,
New No.30, II Main Road,
Chennai-600 035.
4. The Registrar of Newspapers for India,
9th Floor, Soochna Bhawan, Lodhi Road,
CGO Complex, New Delhi-110 003.
5. Union of India,
Rep. by its Secretary, Ministry of Information
and Broadcasting,
Room No.552, A-Wing, Shastri Bhawan,
New Delhi-110 001.
6. Dr.B.J.Thanika, having Office at
72/41, Mosque Street, Saidapet, Chennai-600 015.

(Respondents 4 to 6 Suo Motu impleaded
as per order dated 05.02.2020 made in
W.P.Nos.32091 and 31647 of 2019)

(Subsequently,
R-6 deleted, vide order dated 24.02.2020
made in W.P.No.31647 of 2019)

.. Respondents in W.P.No.31647 of 2019

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the first respondent to consider the representation dated 19.10.2019, thereby further direct the second respondent to form a team and investigate on due process of law against the economic offence



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piloted by Airavath Trust, rep. by Sridaran.

For petitioner : Mr.S.Manivasagam for Ms.Lita Srinivasan

For respondents: Mr.Hasan Mohammed Jinnah, Public Prosecutor
for RR-1 and 2

COMMON ORDER

(The Common Order of the Court was made by The Honourable Chief Justice)

This Court took suo-motu cognizance to review the order dated 19.08.2021 passed in W.P.No.32091 of 2019. It is when the learned Additional Advocate General appearing for the official respondents informed that a direction for constitution of the Press Council of Tamil Nadu by the State Government is not sustainable. It is also that the prayer in the said Writ Petition was not for a direction to the respondents to constitute the Press Council of Tamil Nadu, but for the consideration of the representation, dated 26.09.2019 and direct the second respondent to investigate the case by forming a team in regard to the allegations of theft of idol. Instead of giving a direction as prayed for in the Writ Petition, a Division Bench has issued direction for constitution of the Press Council of Tamil Nadu, which was not the subject matter or the prayer of the Writ Petitioner. A joint prayer has been made by all the counsel to recall the said order and hear the writ petitioners afresh. This Court finds that the joint prayer is made by the learned counsel appearing for the parties to recall the said order, is justified, because, the direction given by the Division Bench in that order, dated 19.08.2021 in W.P.No.32091 of 2019, was not even prayed for in the Writ Petition, rather, the



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subject matter therein was altogether different than the direction finally given by this Court. Accordingly, the common order dated 19.08.2021 passed in W.P.No.32091 of 2019 and W.P.No.31647 of 2019, is recalled. The suo-motu review is allowed. It is however with a direction to re-hear both the Writ Petitions afresh. Accordingly, Registry is directed to restore the Writ Petitions in W.P.Nos.32091 of 2019 and 31647 of 2019 to original file and list the said Writ Petitions before this Court on 30.03.2022. In view of the recalling of the said common order, dated 19.08.2021, as prayed for by the learned counsel, the Review Application in Rev.A.No.175 of 2021 is dismissed as withdrawn. No costs. Registry is directed to list W.P.No.32091 of 2019 along with W.P.No.31647 of 2019 for hearing afresh on 30.03.2022.

(M.N.B., C J) (D.B.C.J)
16.03.2022

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To

1. The State of Tamil Nadu,
Represented by its Secretary to Government,
Home Department,
Fort St.George, Chennai.
2. The Director General of Police,
CB CID Old Commissioner Office,
Egmore, Chennai.
3. The Additional Director General of Police,
Idol Wing CID,
Office Campus of EOW,
Industrial Estate, Guindy,



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Chennai.

4. The Secretary,
Information and Public Relationship Department,
Government of Tamil Nadu,
Fort St.George, Chennai.
5. Press Council of India,
Represented by its Secretary,
OM-Plaza, Sector 19,
Indra Nagar,
Lucknow, Uttar Pradesh.
6. Audit Bureau of Circulations (India),
4th Floor, Wakefield House,
SS Ram Gulam Marg,
Ballard Estate, Fort Mumbai,
Maharashtra, India.
7. The Registrar of Newspapers for India,
9th Floor, Soochna Bhawan,
Lodhi Road, CGO Complex,
New Delhi, Delhi.
8. Union of India,
Represented by its Secretary,
Ministry of Information and Broadcasting,
Room No.552, A-Wing,
Shastri Bhawan, New Delhi.
9. The Director General of Police,
Tamilnadu, Mylapore, Chennai.



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THE HONOURABLE CHIEF JUSTICE

and

D.BHARATHA CHAKRAVARTHY, J

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Rev.A.No.175 of 2021
(in W.P.No.32091 of 2019)

and

W.P.No.31647 of 2019

16.03.2022