



WEB COPY



A.No.5763 of 2022

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in

C.S.No.7 of 2022

SENTHILKUMAR RAMAMOORTHY, J.

The 6th and 7th defendants in the suit have presented this application for modification of the existing issues and for framing additional issues. Learned counsel for the plaintiff states that the plaintiff has no objection to the framing of additional issues.

2. The suit is for relief in respect of alleged defamation. The plaintiff seeks both damages and injunctive relief. Issues were framed on 22.04.2022. The modification prayed for by the 6th and 7th defendants is unnecessary inasmuch as issue - (a) relates to whether the statements made by the defendants are defamatory, issue – (b) relates to whether the plaintiff is entitled to damages in respect thereof and issue - (c) specifically covers the claim for a sum of Rs.1,10,00,000/-. In these circumstances, the request for modification of the issues is declined.

3. The 6th and 7th defendants also seek the framing of additional issues. The additional issues relate to misjoinder, whether the defendants



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acted jointly against the plaintiff, whether the plaintiff is entitled to suspension of the 7th defendant's twitter account, etc.

4. Upon considering the draft additional issues, the following additional issues are framed:

(i) Whether the suit is liable to be dismissed for misjoinder of causes of action?

(ii) Whether the plaintiff has proved that the defendants acted jointly and whether there is a common cause of action against the defendants?

(iii) Whether the plaintiff is entitled to a mandatory injunction against the 7th and 8th defendant in relation to the suspension of the twitter accounts?

19.12.2022

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