



W.P.No.109 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.109 of 2020
and
W.M.P.No.133 of 2020

K.Asudhullah

... Petitioner

Vs.

1.State of Tamil Nadu,
Rep. by the Chief Secretary,
Secretariat,
St.George Fort,
Chennai – 600 009.

2.The Secretary,
Tamil Development and Information Department,
Secretariat, St.George Fort,
Chennai – 600 009.

3.The Director,
Tamil Development and Information Department,
Secretariat, St.George Fort,
Chennai – 600 009.

4.C.Vimaleswaran

... Respondents

[R4 impleaded as per order dated 06.04.2023 made
in W.M.P.No.29646 of 2021 in W.P.No.109 of 2020]



W.P.No.109 of 2020

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd and 3rd respondents to reconstitute the Tamil Nadu News Media Representative Accreditation (Headquarters) Committee, 2020-2022 based upon 3rd respondent's letter vide Letter No.15330/PR/2019 dated 07.11.2019 and representation dated 21.11.2019 and as per the Tamil Nadu News Media Representative Accreditation (Headquarters) rules, 2002 within a stipulated time as fixed by this Court.

For Petitioner : Mr.M.Ramesh

For Respondents : Mr.K.M.D.Muhilan
Special Government Pleader [R1 to R3]
M/s.M.Janarthanam [R4]

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the respondents 2 and 3 to reconstitute the Tamil Nadu News Media Representative Accreditation (Headquarters) Committee, 2020-2022 based upon the third respondent's letter vide Letter No.15330/PR/2019 dated 07.11.2019 and representation dated 21.11.2019 and as per the Tamil Nadu News Media Representative Accreditation (Headquarters) rules, 2002 within a stipulated time as fixed by this Court.



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2. The case of the petitioner is that the petitioner is a Reporter in a Tamil daily newspaper and in the year 2002, the Tamil Nadu Government brought new rules, namely Tamil Nadu News Media Representative Accreditation (Headquarters) Rules, 2002 and issued a Government Order vide G.O.Ms.No.10 Information and Tourism (PR) Department, dated 18.01.2002. By virtue of the same, the Government of Tamil Nadu have revised the Rules for accreditation to the Press persons representing newspapers, news agencies and news producing television organizations, etc. In the said rule, there is no specific and uniform rule was followed for accreditation and issuing of accreditation cards to the press persons. Many persons who misrepresent themselves as a media person illegally get accreditation and obtained accreditation cards.

2.1. For the welfare of the Journalists, since 1986, the Government of Tamil Nadu providing a monthly pension for a sum of Rs.7,500/- to the retired journalists, who had served for 20 years and a monthly family pension of Rs.4,500/- was given to the wife of a Journalist on his death. After several efforts and repeated request, the Tamil Nadu Government issued a G.O. vide G.O.Ms.No.10 Information and Tourism (PR)



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Department dated 18.01.2002 and formed new rules. However, the grievance of the petitioner is that after several efforts of many journalists, respondents 2 and 3 decided to constitute the State News Media Accreditation Committee for the year 2020 – 2022 for three years. As per Rule 5(1), the term of office of the members of the Committee is two years. However, without following the said Rule, the respondents 2 and 3 are trying to appoint the members for the term of three years. Hence, the petitioner has filed the present writ petition before this Court for appropriate directions.

3. The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the respondents 2 and 3 to reconstitute the Tamil Nadu News Media Representative Accreditation (Headquarters) Committee, 2020-2022 based upon the third respondent's letter vide Letter No.15330/PR/2019 dated 07.11.2019 and representation dated 21.11.2019 and as per the Tamil Nadu News Media Representative Accreditation (Headquarters) Rules, 2002 within a stipulated time as fixed by this Court.



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4. The learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that the respondents 1 to 3 have filed a status report, dated 24.08.2021, in which, it has been stated that the Accreditation Committee is formed based on the Tamil Nadu Media Representative Accreditation (Headquarters) Rules, 2002 vide G.O.Ms.10 Information and Tourism (PR) Department dated 18.01.2002 and the Hon'ble Division Bench of this Court has observed the following:

“7. The credentials of the parties have to be verified in detail before issuing the identity cards, since many people having criminal background also claim to be press people and indulging in criminal activities using this as a shield like that of the many criminals who purchase law degrees and use it as a shield for their criminal activities. Since the image of the press off late is damaged because of the activities of the people who are claiming to be press reporters, the system has to be cleaned so that the interests of genuine journalists/press people will be protected.”

5. He further submits that it becomes necessary to revise the Tamil Nadu Media Representative Accreditation (Headquarters) Rules, 2002. Accordingly, a new draft rules was framed, namely the Tamil Nadu State News Media Representative Accreditation Rules, 2021 and the same will be notified as soon as possible.



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6. In view of the above said status report filed by the respondents 1 to 3, the respondents 1 to 3 are directed to notify the draft rules, namely the Tamil Nadu State News Media Representative Accreditation Rules, 2021, within a period of twelve (12) weeks from the date of receipt of a copy of this order, if there is no legal impediment.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

06.04.2023
(2/2)

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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- 2.The Secretary,
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M.DHANDAPANI, J.

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