



O.A.Nos.376 and 377 of 2024
in C.S. No.115 of 2024

WEB COPY

C.V.KARTHIKEYAN,J.

In O.A.No.377 of 2024, a learned Single Judge of this Court on examining the pleadings, had granted interim injunction by an order dated 24.05.2024. Notice had thereafter been directed to all the other respondents also. This injunction was primarily against the 1st respondent.

2. It is seen from the records that the 1st respondent had been served through private notice and affidavit of service had also been filed. Since the 1st respondent had taken a conscious decision not to appear before this Court, the interim injunction already granted on 24.05.2024 is made absolute till the disposal of the suit in C.S.No.115 of 2024.

3. Learned counsel for the 2nd respondent entered appearance and it would only be advisable that the 2nd respondent does not publish further interviews if given by the 1st respondent and if at all a decision is to be taken, then leave of the Court must be obtained and a gist of the



interview must be forwarded to the plaintiff and opinion must be received and only thereafter, can the 2nd respondent proceed further. The 2nd respondent is restrained to that extent viz-a-viz., any issues between the petitioner and the 1st respondent.

4. Hence, O.A.No.377 of 2024 is allowed accordingly.

5. The application in O.A.No.376 of 2024 has been filed primarily against the 4th respondent to remove the videos which had been uploaded in the Youtube channel which is controlled by the 4th respondent. Even while granting the order of injunction as against the 1st respondent, the learned Single Judge of this Court had observed as follows:-

"4. It is the case of the applicant that in early 2017, the 1st respondent was diagnosed with mental health condition, requiring regular and consistent treatment. The applicant also claims that he has taken all sufficient care and steps to provide adequate treatment to the 1st respondent. It is further stated that in February 2017, the 1st respondent has posted



WEB COPY



several slanderous posts through the 1st respondent's Twitter and social media accounts and caused severe mental agony and stress to the applicant and he had to respond to each of the scandalous posts citing the medical condition of the 1st respondent. Again, recently, the 1st respondent has given an interview which came to the notice of the applicant on 13.05.2024 and the said interview has been published in Kumudam Youtube channel of the 2nd respondent, where the 1st respondent has used violent language and made baseless and reckless allegations against the applicant. The 1st respondent also written to the respondents 2 to 4 asking them not to publish such scandalous posts and videos, besides also calling upon them to remove the posts already posted on their websites.

5. *The affidavit also discloses that the interview given by the 1st respondent is a pre-recorded interview and there is repeated reference to the*



WEB COPY



unparliamentary language used against the applicant.

According to applicant, he has been defamed by such reckless statement of the 1st respondent which have been published without verification the respondents 2 to 4. Hence, the applicant seeks an interim injunction restraining the 1st respondent from in any manner communicating, discussing, speaking or publishing any defamatory or false information or statement or allegation against the applicant relating to his personal or professional life or the applicant's family members pending disposal of the present suit.

6. *I find from the affidavit and the documents filed along with the suit that the applicant has made out a prima facie case for grant of interim injunction, and, if no interim order is granted pending the suit, there is no guarantee that further harm will not be caused by the 1st respondent, by continuing with her acts of going to the media and Youtube, slamming the applicant. I am also satisfied that balance of*



WEB COPY



convenience is in favour of the Applicant and in favour of grant of an interim order. Hence, there shall be an order of interim injunction as prayed for."

6. It is stated that the videos containing the interviews given by the 1st respondent are still available in the Youtube channel. When an order of interim injunction had been granted restraining the 1st respondent from putting up any further videos, naturally the videos which are already available and which had been morefully described in the schedule to the Judge's Summons will necessarily have to be blocked by the 4th respondent.

7. Learned counsel had entered appearance on behalf of the 4th respondent and stated that the videos are still available in the Youtube channel.

8. A direction is given to the 4th respondent that the same should be blocked within three working days from the date of this order. This order is passed also owing to the fact that the 1st respondent has taken a



O.A.Nos.376 and 377 of 2024



conscious decision not to appear before this Court.

WEB COPY



WEB COPY

O.A.Nos.376 and 377 of 2024



C.V.KARTHIKEYAN, J.

Gsa

9. With the above direction, O.A.No.376 of 2024 is also allowed.

22.07.2024

gsa

O.A.Nos.376 and 377 of 2024
in C.S. No.115 of 2024