



WP(MD) No.2619 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.02.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.(MD) No.2619 of 2024

C.Selvakumar

... Petitioner

/vs./

- 1.The Commissioner of Police,
Madurai City,
Madurai.
- 2.The Deputy Commissioner of Police,
Madurai City (North),
Madurai.
- 3.The Assistant Commissioner of Police,
Anna Nagar Range,
Madurai.
- 4.The Inspector of Police,
Anna Nagar Police Station,
Madurai.
- 5.The Inspector of Police,
Cybercrime,
Madurai Crime Branch,
Madurai.



WP(MD) No.2619 of 2024

6.Karuppaiah @ Dinesh Mallar

7.S.Murugan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 1st Respondent to take action based on the Petitioner's representation dated 19.01.2024 and in turn direct the 4th Respondent police to take appropriate legal action based on CSR.No.26/24.

For Petitioner : Mr.K.Pandian
For R1 to R5 : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)

ORDER

The learned Counsel for the Petitioner submits that the Petitioner had filed this Writ Petition seeking direction against the first Respondent to take action based on the Petitioner's representation dated 19.01.2024.

2.The learned Government Advocate (Crl.side), on instructions of the Respondents 1 to 5, submits that based on the Petitioner's representation, the representation was referred for legal opinion of the first Respondent. As per the legal opinion obtained from the first Respondent, the Hon'ble Supreme Court had



WP(MD) No.2619 of 2024

WEB COPY struck down Section 66 of the Information Technology Act, 2000. Therefore, the Police are unable to take action, based on the social media post. The Police had only registered CSR and conducted enquiry with the Respondents 6 and 7 based on the complaint of the Petitioner. The Respondents in the enquiry stated that they had not posted any derogatory materials affecting the reputation of the Petitioner herein. Therefore, based on the statements of the Respondents 6 and 7, the Police had closed the CSR.

3.Considering the fact that Section 66 of the Information Technology Act, 2000 having been struck down by the Hon'ble Supreme Court, the response of the Respondents 1 to 5 is found justified. Hence, this Writ Petition is dismissed. No costs.

08.02.2024

Index : Yes / No
Internet : Yes / No
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SATHI KUMAR SUKUMARA KURUP, J.

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