

24.04.2025
Item No.23
gd/ssd

WPA(P)/157/2025
SABYASACHI DUTTA
VS
UNION OF INDIA AND ORS.

Ms. Reshmi Ghosh,
Ms. Satabdi Das
..for the Petitioner.

Mr. Jahar Lal De,
Mr. Shamim ul Bari
..for the State.

Mr. Rajdeep Majumder, Id. Sr. Adv.
Mr. Moyukh Mukherjee
..for the Union of India.

1. The petitioner seeks for a direction upon the first respondent who is the Secretary, Ministry of Home Affairs to set guidelines for implementing appropriate measures against the Members of the Legislative Assembly and Lok Sabha for making derogatory statements targeting the rights of the citizens of India duly protected under the Constitution of India. The petitioner is also a political functionary and he is a Member of the Legislative Assembly of a particular Constituency fielded by the ruling party dispensation. The petitioner has also other credentials having served as Chairman of the municipal corporation etc. The allegation against the second respondent who is the Minister of the State in the Ministry of Education, Government of India. According

to the petitioner, certain speeches have been made which, according to the petitioner, is derogatory. The prayer sought for in the writ petition is so widely couched this court exercising its jurisdiction under Article 226 of the Constitution having defined territorial jurisdiction, cannot issue such sweeping directions.

2. In any event the petitioner if aggrieved by any statement made by the second respondent against himself or any other person whom the petitioner is of the opinion that such speeches should not have been made, it is always open to either the petitioner or the aggrieved person to invoke the common law remedy which is available.

3. Therefore, in the given facts and circumstances, we are unable to persuade ourselves to grant any relief in this writ petition.

4. Accordingly, the matter is dismissed.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(CHAITALI CHATTERJEE (DAS), J.)