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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2025

CORAM :

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

Writ Petition No.29142 of 2025

Dr.Monica P. Jain

.... Petitioner

.Vs.

1.The Union of India

Rep. by the Secretary to Government
Ministry of Electronics and Information
Technology, 6, Lodhi Road
CGO Complex, Pragati Vihar
Electronics Niketan
New Delhi-110 003.

2.The Director General of Police

Dr.Radhakrishnan Salai, Mylapore
Chennai 600 004.

3.Shreyansh Ajit Kumar

4.Ajith Kumar

.. Respondents



Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the Ministry of Electronics and Information Technology (MeitY) to take urgent regulatory and technical action under the Information Technology Act, 2000 to ensure that the petitioner's private digital content is not disseminated, uploaded, or misused on any digital or Internet platform by seizing and forensically examine all electronic devices, communication platforms, and cloud storage association with respondent No.3 and respondent No.4 to permanently expunge the said private images.

For Petitioner : Mr.A.K.Sriram
Senior Counsel
for M/s.Jayanthi K Shah

For Respondents : Mr.V.Ashok Kumar
Senior Panel Counsel for R1

Mr.V.Meganathan
Government Advocate (Crl.Side)
for R2

Mr.G.Kalyan Jhabakh for R3 & R4



ORDER

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This writ petition has been filed seeking issuance of a writ of mandamus directing the 1st respondent to take urgent regulatory and technical action under the Information Technology Act, 2000 to ensure that the petitioner's private digital content is not disseminated, uploaded, or misused on any digital or Internet platform by seizing and forensically examine all electronic devices, communication platforms, and cloud storage association with respondents 3 and 4 to permanently expunge the said private images.

2. When the matter was taken for for hearing on 20.8.2025, this Court on hearing the counsel appearing on either side made it clear that this Court will not go into the merits of the case or with regard to the fact as who took those photographs. It is a matter that has to be decided only by the competent Court where the proceedings are pending. However considering the grievance expressed by the petitioner, this Court wanted the 3rd and 4th respondents to file an undertaking affidavit before this Court.

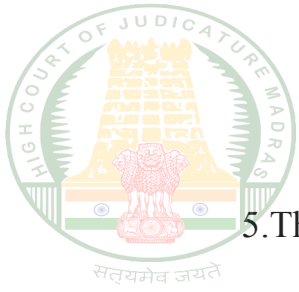


3. When the matter was taken up for hearing today apart from the counter affidavit filed by the 3rd respondent, undertaking affidavit has also been filed by the 3rd and 4th respondents. The relevant portions are extracted hereunder

2. I, the 3rd Respondent, filed the pen drive along with Counter in M.C.No.460 2023, and the same was directly sent by me to the Court through courier. The same was recorded in the adjudication of the Family Court. I have not circulated the pen drive and the photographs therein, in any other platform.

3. We hereby undertake that we will not circulate the pen drive and the photographs therein to the social media or to any other platform. I the 3rd Respondent, will only use the pen drive and the photographs therein, only in the Court Proceedings, to prove my case.

4. It will suffice to record the above undertaking to dispose of this writ petition. It is made clear that this Court has not gone into the merits of the case and decided in the present writ petition and it will be left open to the parties to agitate before the concerned Court where the proceedings are pending.



5.This writ petition is disposed of in the above terms. No costs.

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Index : Yes/No

NCS : Yes/No

KP

To

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2.The Director General of Police
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N.ANAND VENKATESH, J.

KP

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