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O.A. No.829 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2025

CORAM :

THE HONOURABLE MR.JUSTICE P.DHANABAL

O.A. No.829 of 2025

in

C.S. No.60 of 2025

S.P. Velumani

S/o. Late E.A. Palanisamy Gounder

.. Applicant /Plaintiff

Vs

1. Damodharan Prakash

Chief Special Reporter,

“Nakkeeran” Nakkeeran Publications,

105, Jani Jahan Khan Road, Royapettah,

Chennai-600 014.

2. “Nakkeeran” Nakkeeran Publications,

Represented by its Publisher and the Editor,

Mr. Nakeeran Gopal,

105, Jani Jahan Khan Road, Royapettah,

Chennai-600 014.

.. Respondents/ Defendants

PRAYER: This Original Application has been filed under Order XIV Rule 8

of the Original Side Rules with Order XXXIX Rules 1 and 2 read with

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Section 151 of the Code of Civil Procedure praying to grant interim

injunction restraining the 1st respondent, his men, agents, servants and any one claiming under him or acting on his behalf from in any way making and publishing any misrepresenting statements, derogatory and defamatory imputations, against the applicant in relation to the political affiliation of the applicant, either directly or by innuendos, in any manner whatsoever until the disposal of the main Suit.

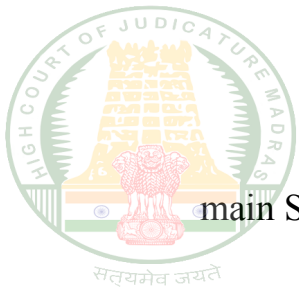
For Applicant : Mr. E. Balamurugan

For Respondent : Mr. P.T. Perumal

ORDER

This Original Application has been filed to grant interim injunction restraining the 1st respondent, his men, agents, servants and any one claiming under him or acting on his behalf from in any way making and publishing any misrepresenting statements, derogatory and defamatory imputations, against the applicant in relation to the political affiliation of the applicant, either directly or by innuendos, in any manner whatsoever until the disposal of the

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main Suit.

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2. The learned counsel appearing for the applicant would submit that the applicant is the Plaintiff in the main Suit and he filed a Suit for damages and mandatory injunction directing the defendants to delete all the publications mentioned in the schedule herein from the platforms, “X”(formerly known as Twitter), and YouTube and permanent injunction restraining the defendants, their men, agents, servants, and anyone claiming under them and acting on their behalf from in any way making and publishing any misrepresenting statements, derogatory and defamatory imputations, against the Plaintiff, either directly or by innuendos, in any manner whatsoever. The petitioner was a former Minister of the State of Tamil Nadu and is presently a Member of the Tamil Nadu Legislative Assembly from Thondamuthur Constituency, Coimbatore. The 1st respondent is the Chief Special Reporter of “Nakkeeran”, a publication of Nakkeeran Publications, and is presently engaged as a journalist who predominantly delivers speeches

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and commentary on political issues and related matters mostly in favour of the Dravida Munnetra Kazhagam (DMK) Party and against the applicant.

The 2nd respondent is “Nakkeeran”, Nakkeeran Publications represented by Mr. Nakeeran Gopal, who is the Publisher and Editor of “Nakkeeran” Channel.

2.1. The respondents, particularly the 1st respondent, under the pretext of journalism and so-called investigative reporting, engaged in a deliberate and sustained conduct of publishing and circulating false, malicious, and defamatory statements against the applicant through social media and other such platforms. The actions of the 1st respondent appear to be habitual and targeted and for the reasons best known to him, the applicant has now become the focus of his unwarranted attacks. The 1st respondent has delivered multiple defamatory speeches and interviews that are entirely baseless, misleading and intended to project the applicant in a negative light before the eyes of the public. The 1st respondent has released a series of videos in which

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he makes wild, baseless, and defamatory allegations concerning the applicant's role and conduct as a political person. These claims are not supported by even a shred of evidence, and the contents of these videos are entirely false, misleading and devoid of any factual foundation and none of the assertions made therein possess any truth, credibility, or journalistic integrity. The 1st respondent has already made and published no fewer than five videos, all of which directly or indirectly refer to or target the applicant's political and personal conduct. The statements made by the 1st respondent are specifically aimed at creating internal friction and undermining the unity and smooth functioning of the party. The 1st respondent's false and defamatory allegations are designed to provoke unrest, disrupt internal cohesion and thereby destabilize the organizational framework of the AIADMK party. The present case is a clear abuse of the journalistic freedom guaranteed under the Constitution of India by the 1st respondent. Therefore, the applicant filed this application to grant interim injunction.



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3. The respondents have filed a detailed counter. The learned counsel appearing for the respondents would submit that prayer in this application is not maintainable without impleading other Youtube channels and the “Blanket injunctions” are not permissible. The main suit was filed against the speeches made by the 1st respondent, which were uploaded in the Youtube Channel Nakkeeran TV on 14.10.2024 and 22.09.2023. Already the 1st respondent has filed written statement and the Suit is in the stage of framing issues. At this stage, the applicant has filed this application against the 1st respondent. The applicant alleged that the subsequent statements made by the 1st respondent in Youtube channels namely IBC Tamil, Aransey Channel, King 360 Channel and Madhimurugan TV. There was no intention to malign the applicant, no misuse of the journalistic right under Article 19(a) of the Constitution, no any personal vendetta, no intention to help rival parties, no damage was caused and the alleged reputation of the applicant /Plaintiff is a sham. The contents of the publications are within the bounds of media law. The publications were

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not defamatory and the applicant is not put any hardship and loss. There is no

prima facie case pleaded in the affidavit. There is no balance of convenience in favour of the applicant. There is no irreparable loss has been pleaded. The main Suit has been filed only as against 1st and 2nd respondents, but the subsequent publications were made in different Youtube channels and those channels are not the parties to the Suit. Therefore, the application is liable to be dismissed.

4. This Court heard both sides and perused the entire materials available on record.

5. In this case, the applicant filed the main Suit for damages and permanent injunction and mandatory injunction to remove all the publications and videos from the platforms namely “X” and Youtube, in any manner whatsoever. The applicant has filed this application to grant interim injunction restraining the 1st respondent, his men, agents, servants and anyone

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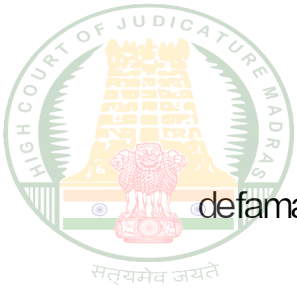


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claiming under him or acting on his behalf from in any way making and publishing any misrepresenting statements, derogatory and defamatory imputations, against the applicant in relation to the political affiliation of the applicant, either directly or by innuendos, in any manner whatsoever until the disposal of the above suit.

6. According to the applicant, the 1st respondent posted the defamatory publications, the 1st respondent delivered multiple defamatory speeches and interviews that are entirely baseless, misleading and intended to project the applicant in a negative light before the eyes of the public. According to the respondents, those publications are not defamatory and there is no malice and no misuse of the freedom of the press and there was no bad comment against the father and mother of the applicant. There was no ulterior motive and there was no personal vendetta and no damage was caused and the alleged reputation of the applicant / Plaintiff is a sham. Therefore, the above said allegations have to be tested through trial that as to whether they are

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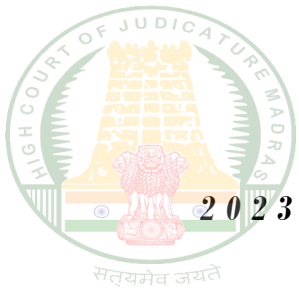
defamatory or not. However, according to the applicant, during the pendency

of the Suit, the 1st respondent made several interviews in other channels.

Therefore, the 1st respondent has to be restricted by ordering interim injunction.

7. In this context, the learned counsel appearing for the respondents brought to the notice of this Court that those Youtube channels were not added as parties in the Suit and the Suit has been filed only as against these respondents 1 and 2. Therefore, without impleading them, the prayer cannot be granted, since there are so many videos and publications were uploaded in different channels and the Suit is posted for trial. At this stage, without any evidence, those publications and the videos cannot be tested.

8. However, considering the nature of relief sought for in the Suit and the respondents have also admitted that interviews have been uploaded in the social media, it is relevant to refer the order made in *A. No.1009 of*
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2023 in C.S. No.189 of 2022, this Court after considering the

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judgments of the Hon'ble Apex Court particularly in the case of *Justice*

K.S. Pattuswamy's (Retd.) reported in (2017) 10 SCC 1,

R. Rajagopal's case reported in 1994 (6) SCC 632 and

the judgment of Hon'ble Division Bench of this Court

reported in (2006) 2 LW 377, held in Para No.36 as follows:-

“36. In view of the reasonings & findings I have arrived at, I do not propose to take a different view, than the one taken by the learned Judge in the judgment stated supra. In such a view the order of injunction granted in O.A.No.523 of 2022 in C.S.No.189 of 2022 on 08.09.2022 shall be modified on the following conditions:

(a) The applicant shall not publish any statements on any social media or public platforms regarding the activities of the respondent without causing a notice on the respondent of the queries or gist of the articles to the email I.D. of the respondent, for a response from the respondent. If any response is received within 72 hours, then the applicant may make a statement and in doing so he shall also publish the response received by him with prominence. If no such response is received within the aforesaid period, he shall proceed to publish the article.

(b) If such statements are based upon public records including the Court records, then the applicant is at liberty to make a fair comment/criticism only on the materials available in the public domain.”



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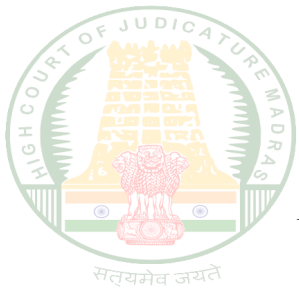
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9. In view of the above said judgments and considering the facts and circumstances of this case, it is appropriate to pass the following order:

(a) The respondents shall not publish any statements on any social media or public platforms regarding the activities of the applicant without causing a notice on the applicant of the queries or gist of the articles to the email I.D. of the applicant, for a response from the applicant. If any response is received within 72 hours, then the respondents may make a statement and in doing so, he shall also publish the response received by him with prominence. If no such response is received within the aforesaid period, they shall proceed to publish the article.

(b) If such statements are based upon public records including the Court records, then the respondents are at liberty to make a fair comment/criticism only on the materials available in the public domain.

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10. *With the above said observations and directions, this petition is*

disposed of.

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[1/2]

Index : Yes/No

Speaking Order : Yes/No

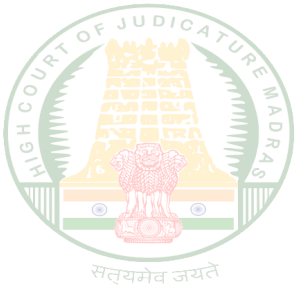
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P.DHANABAL.,J

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in

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P.DHANABAL, J.

Today, the matter is listed under the caption “for being mentioned”.

2. In continuation of the earlier order of this Court dated 22.09.2025, passed in O.A.No.829 of 2025, paragraph No.9 (a) and (b) of the order may be substituted as follows:

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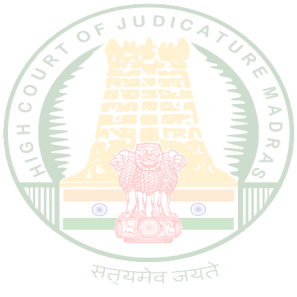
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“9. In view of the above said judgments and considering the facts and circumstances of this case, it is appropriate to pass the following order:

(a) The 1st **respondent** shall not publish any statements on any social media or public platforms regarding the activities of the applicant without causing a notice on the applicant of the queries or gist of the articles to the email I.D. of the applicant, for a response from the applicant. If any response is received within 72 hours, then the 1st **respondent** may make a statement and in doing so, he shall also publish the response received by him with prominence. If no such response is received within the aforesaid period, **he** shall proceed to publish the article.

(b) If such statements are based upon public records including the Court records, then the 1st **respondent is** at liberty to make a fair comment/criticism only on the materials available in the public domain.”

3.The Registry may also substitute the following name as the counsel for the applicant in the 'cause title' of the order:



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“For Applicant : Mr.K.Gowtham Kumar
For Mr.E.Balamurugan”

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4.All other observations made in the earlier order dated 22.09.2025,
shall remain intact.

5.The Registry is directed to issue fresh order copy after carrying out
necessary corrections.

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P.DHANABAL, J.

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