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OA.No.509 of 2022

**OA.No.509 of 2022**  
**& A.No.3494 of 2022**  
**in CS.No.172 of 2022**

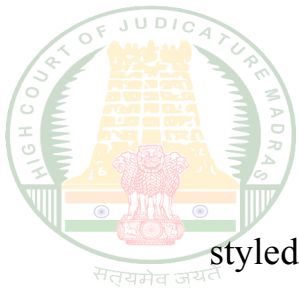
**KRISHNAN RAMASAMY, J.,**

Heard Mr.AR.L.Sundaresan, learned Senior counsel for M/s.Richardson Wilson appearing on behalf of the applicant/plaintiff.

2. This application has been filed to grant an order of ad interim injunction restraining the respondent from in any way marking, printing, publishing, broadcasting, disseminating or circulating the statements, articles, pictures, cartoons, caricatures, sketches, tweets and videos mentioned in the schedule herein or its contents or any other defamatory statements, articles, pictures, cartoons, caricatures, sketches, tweets or videos which causes damage or tends to lower the reputation of the applicant on YouTube, Twitter, Facebook or in any other media or in any other manner pending disposal of the above suit.

3.The above suit is filed for damages and for mandatory injunction.

4. The learned Senior counsel appearing for the applicant/plaintiff would submit that the applicant is presently serving as the Minister for Electricity, Prohibition and Excise, Government of Tamil Nadu and rendering relentless public service from the gross root level for the past 25 years for the well being of the general public and he holds a good and respectable reputation among the general public. While so, the learned counsel would submit that the respondent, who is a suspended employee of the Department of Vigilance and Anti-Corruption claims himself a self-

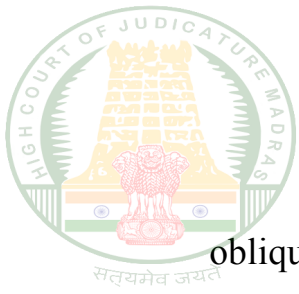


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styled journalist, is habitually defaming all the occupants of constitutional and executive offices and used to post videos and interviews in social media platforms, like Youtube and Twitter, etc. He would submit that the respondent/defendant, has been running a smear campaign against the applicant/plaintiff by continuously making wild, false and defamatory statements with sole intention to defame the applicant/plaintiff and tarnish his personal and professional reputation.

5. The learned counsel would also submit that on 29.07.2022, he posted a video in YouTube, wherein, the respondent made false allegation that the applicant is running all the TASMAL Bars in Tamil Nadu, while the fact remains is that TASMAL tenders are floated by the Manager of TASMAL and the applicant has no role in it and he has nothing do with the tender process.

6. He would also submit that the respondent also posted a video on 01.08.2022 in the YouTube, wherein, he made defamatory statements that the applicant while serving as the Minister for Transport, received money under the guise of providing government jobs from the unemployed and cheated them and money involved in the job scam is 200-300 crores and he published a tweet in Twitter.com, making allegation that one of the victims, namely, Baskar died mysteriously and suicide note names the applicant. He would submit that the death of the said Baskar is the subject matter of FIR in Cr.No.34 of 2022 on the file of Zambazaar Police Station, Triplicane, but the applicant/plaintiff is not arrayed as an accused and linking the applicant to the death of the said Baskar by the respondent/defendant is only with an



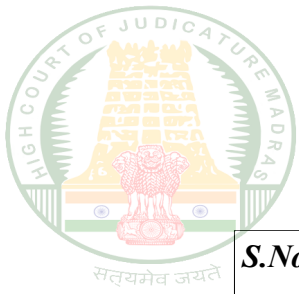
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oblique motive to defame the applicant.

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7. The learned counsel also submit that the respondent likewise, the respondent posted videos against the applicant alleging that the applicant provides solar power plants on payment of 20 lakhs per megawatt and that the applicant had given 200 crores to the DMK party for election expenses and he compared the applicant as Eknath Shinde. He also pointed out that the respondent also indulged in tarnishing the image of the judiciary including the reputation of the Hon'ble Judges of High Court and Supreme Court and in this regard, Madurai Bench of this Court has initiated suo motu criminal contempt proceedings against the respondent. The learned counsel for the applicant/plaintiff would submit that the respondent repeats such serious allegations in several videos as mentioned in the following schedule, without giving an iota of proof or basis for such allegations.

<i>S.No.</i>	<i>Date of publication</i>	<i>Vedeo link</i>
1	13.12.2021	<a href="https://www.youtube.com/Watch?v=60CpA312SP8">https://www.youtube.com/Watch?v=60CpA312SP8</a>
2	29.07.2022	<a href="https://www.youtube.com/Watch?v=bRevsOinglQ">https://www.youtube.com/Watch?v=bRevsOinglQ</a>
3	01.08.2022	<a href="https://www.youtube.com/Watch?v=Kj1KzcTvEAE">https://www.youtube.com/Watch?v=Kj1KzcTvEAE</a>
4	01.05.2022	<a href="https://www.youtube.com/Watch?v=OJcqSHb-ZjY">https://www.youtube.com/Watch?v=OJcqSHb-ZjY</a>
5	06.07.2022	<a href="https://www.youtube.com/Watch?v=Sbq4i4I2ReQ">https://www.youtube.com/Watch?v=Sbq4i4I2ReQ</a>
6	15.07.2022	<a href="https://www.youtube.com/Watch?v=NnXHFY-DueI">https://www.youtube.com/Watch?v=NnXHFY-DueI</a>
7	29.07.2022	<a href="https://www.youtube.com/Watch?v=imv53OYKsHc">https://www.youtube.com/Watch?v=imv53OYKsHc</a>
8	02.08.2021	<a href="https://www.youtube.com/Watch?v=jIBcU61boo">https://www.youtube.com/Watch?v=jIBcU61boo</a>
9	06.07.2022	<a href="https://mobile.twitter.com/Veera284/status/1544721906917867521">https://mobile.twitter.com/Veera284/status/1544721906917867521</a>

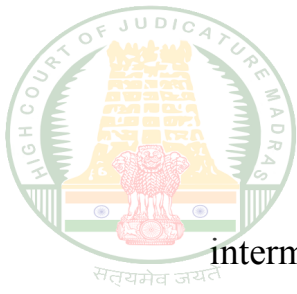


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<b>S.No.</b>	<b>Date of publication</b>	<b>Vedeo link</b>
10	13.07.2022	<a href="https://twitter.com/veera284/status/1547139155737870336?s=21&amp;t=UQvdg-yTzMDFr1NbiXCD3A">https://twitter.com/veera284/status/1547139155737870336?s=21&amp;t=UQvdg-yTzMDFr1NbiXCD3A</a>

8. He would submit that such false videos, statements, scandalous imputations would tarnish the applicant's personal and political image. He would also submit that the applicant being a Minister, plays major role in the functioning of the Government and its policies only and Article 164(2) of the Constitution envisages that the Council of Ministers would be collectively responsible to the Legislative Assembly of the State, while so, when the applicant has nothing to do with the alleged affairs and statements which have been made by the respondents by way of posting videos and tweets in the social media. He would also submit that as regards the implementation of the policies of the Government and contractual matters, etc., the Government Officials, viz., Executives of the administration will decide and take appropriate decisions wherein, the Ministers have no role to interfere with their administrative functions. Therefore, the learned counsel would pray this Court to grant ad interim injunction as sought for above.

9. Having heard the learned counsel for the applicant/plaintiff and on perusal of the entire materials placed before this Court, this Court finds considerable force in the submissions made by the learned counsel. In a democratic set up, no one has right to disparage the reputation of another. In this case, the respondent/defendant, prima facie, appears to have indulged in slander having posted various videos and tweets in social media



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intermediaries, viz., YouTube, Twitter, etc. with false, scandalous

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KRISHNAN RAMASAMY, J.

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imputations against the applicant/plaintiff, who is a Political Executive, which in the opinion of this Court, would prima facie tarnish the personal and professional reputation of the applicant/plaintiff in the society. In such view of the matter, it would be appropriate to restrain the respondent/defendant from making further such derogatory videos and statements, by way of interim injunction.

10. In view of the above and since the applicant/plaintiff has made out prima facie case and balance of convenience is in favour of the applicant and if interim injunction is not granted, the applicant/plaintiff would be put to irreparable hardship. Hence, there shall be interim injunction as sought for above.

11. The learned counsel for the applicant/plaintiff is directed to comply with Order 39 Rule 3(a) CPC.

12. List the matter on 09.09.2022.

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23.08.2022

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