



D No. 120899 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-08-2025

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THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

D.Nos.120899 of 2025 in

C.S.Dr.No.120888 of 2025

S. Davidson Devasirvatham I.P.S
S/o.Late A.K.Soundarapandian, D 1102 TAISHA Housing
Complex, Natesan Nagar West, Virugambakkam, Chennai 600
092.

Applicant(s)

Vs

A. Shankar @ Savukku Shankar
S/o.Achimuthu, No.12/6, MMDA, TNHB Flats, Maduravoyal,
Poonamallee Tiruvallur, Tamil Nadu 600 095 India. and 3 Others

Respondent(s)

For Applicant(s): Mr.Aravind Pandian Sr., counsel for
Mr.Karthikeyan Anbazhagan in both appln

ORDER

The Application in D.No.120899 of 2025 had been filed seeking an order of interim injunction restraining the first respondent, his agents, followers, assigns, representatives, or any other person acting on their behalf, from publishing, broadcasting, uploading, circulating, reposting, or disseminating in any manner whatsoever whether in print, digital, audio-visual, or electronic form any content containing defamatory allegations, insinuations, or imputations against the applicant in relation to the alleged custodial death of one Ajith



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2. Heard the learned Senior Counsel appearing on behalf of the applicant.

3. The learned counsel appearing for the applicant would submit that the applicant is a respective Police officer and the first defendant had been making reckless statements imputing the reputation of the applicant. He would submit that whatever had been done by the applicant is only in his official capacity and in furtherance to the duties enshrined to the said capacity. Such unnecessary and unverified imputations made by the first respondent and other unknown person causes great prejudice to the applicant, creating doubts in the minds of people on hearing the said statements made by the first respondent. The said statements made by the first respondent has an impact of performance of his official duties. Drawing attention to the statements made by the first respondent, he would submit that the same are baseless and without any substances. Therefore, he prays this Court to grant injunction as prayed for.

4. I have considered the submissions made by the learned Senior counsel for the applicants and perused the materials available on record.



5. The applicant is a responsible Police Officer and in the line of duty, he had been entrusted with investigation of the case. It is also brought on record that the investigation is now transferred to the CBI by the State Government.

6. Be that as it may, a reading of the statements made against the applicant would *prima facie* conclude that they have been making statements in derogatory and defamatory manner, which would affect the reputation of the applicant who is holding High Office. Article 19(2) of Constitution of India carves out a restriction to the Article 19(1)(a), which would protect the citizen from being defamed.

7. In such view of the matter, there shall be an order of interim injunction as prayed for a period of four (4) weeks.

8. Notice to the respondent returnable by four (4) weeks. Private notice is also permitted. List the matter after four (4) weeks.



9. Considering the exigency of the matter, the application in D.No.120899 of [redacted] nds entertained and the Registry is directed to number the said applications.



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