

This is the suit filed by the plaintiffs against the defendant seeking to pass a Judgment and Decree of permanent injunction restraining the defendants or any person acting through or under him from posting, making, issuing, writing, publishing and / or distributing any defamatory statement / posts regarding the language of Kannada and the culture associated with it and other reliefs.

2. Along with the plaint the plaintiffs have filed the IA No. 3, U/Sec. 151 of CPC, whereby the plaintiffs prays for the dispensation from production of original documents. Hence, the IA No.3 is hereby allowed and dispensed the production of original documents for the time being and directs to produce when this Court directs.

3. The plaintiff has filed IA No. 4 U/o 1 R 8 of CPC and prays permission to file the present suit in a representative capacity on behalf of the Kannadigas. The plaintiff No. 1 is a historic Kannada literary and cultural institution established in the year 1915, under the patronage of Nalwadi Krishnaraja Wodeyar and under the guidance of Sri M Vishveshwaraiah and Mr. Mirja Ismail. Further, the institution has been working towards the promotion of Kannada Language, literature and culture across the state of Karnataka. Therefore, this Court is of the view that the institution is empowered to take any steps in the interest of Kannadigas, their literature and culture. Therefore, considering the submissions and reasons assigned in the application, this Court is of the view that the plaintiff needs to be permitted to file the present suit in a representative capacity as prayed. Hence, this Court decides to allow the IA No.4 filed by the plaintiff U/o 1 R 8 of CPC and permits the plaintiffs to sue the case against the defendant in a representative capacity as prayed.

4. The plaintiff has filed IA No. 1 U/o 39 R 1 and 2 of CPC and prays to grant an order of temporary injunction restraining the defendant or any person

claiming under or through him from posting, making, issuing, writing, publishing and / or distributing any defamatory statement / posts regarding the language of Kannada and the culture associated with it.

5. In the affidavit supported by the application the plaintiff No.2 submits that the defendant during one of his Movie / Cinema promotions has stated that “Kannada was born out of Tamil” which has been wildly circulated in print, social media etc., across the nation and has hurt the sentiments of the Kannadigas. It is the specific allegation of the plaintiffs that by making such remarks the defendant is claiming superiority of one language over the other. Hence, prays to restrain the defendant from making same or similar remarks in future having the effect of hurting the sentiments of Kannada people in respect of their land, language and culture.

6. On perusal of the pleadings, application, accompanied affidavit and all other documents placed by the plaintiffs before this Court, at this juncture, this Court is of the opinion that the plaintiffs have made out essential requisite grounds for the grant of relief in their favour.

7. This Court is of the considered view that granting ex-parte ad-interim relief of temporary injunction against the defendant is necessary in order to prevent the defendant from making any statement / remarks claiming linguistic superiority of one language over other and thereby hurting the sentiments of Kannada people in respect of their land, language and culture till the next date of hearing. If this Court, instead of granting exparte ad-interim order of temporary injunction, orders for the issuance of notice to the defendant then the very purpose of granting temporary injunction would be defeated by delay. Hence, for the following:

ORDER

The defendant, his agents, assigns, representatives or any person acting

under or through them are hereby restrained, by way ad-interim exparte order of temporary injunction, from posting, making, issuing, writing, publishing and / or distributing any statement or remarks claiming linguist superiority over Kannada language or by making any statements having the effect of causing hurt or defaming the Kannada language, literature, land and culture till the next date of hearing.

The plaintiff is hereby directed to comply the order 39 R 3(a) of CPC.

The plaintiff is directed to comply with order 1 R 8 (2) by giving public advertisement in view of the filing of the present suit in a representative capacity on behalf of Kannadigas.

Further, the plaintiff shall furnish copies of plaint, I.A, documents and required PF which shall not fall deficit for issuance of summons within seven days from this date, failing which, the above order of granting of temporary injunction will automatically stands vacated.

Issue notice of TI order on IA No. 1, notice on IA No. 1 and suit summons to the defendant by 30-08-2025.

(04-07-2025)

XXX Addl.CC & SJ Bengaluru.