

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Special Original Jurisdiction

Wednesday, the Eleventh day of November Two Thousand Twenty

PRESENT

The Hon`ble Mr.Justice N.KIRUBAKARAN
AND
The Hon`ble Mr.Justice B.PUGALENDHI

WP(MD). No.15291 of 2020
and
WP(MD)No. 16160 of 2020

WP(MD). No.15291 of 2020:

Samuganeedhikalvipanpattumaiyam,
Yam Represented by its Secretary S. Perumal,
No.8, Rajakalyani Street,
Thandaiperiyar Nagar, Avanyapuram,
Madurai - 625 012. ... Petitioner

Vs

- 1 The Chief Secretary
Government of Tamil Nadu Rajaji Road Fort
St. George Chennai Tamil Nadu -600 009.
- 2 The Director General of Police,
Tamil Nadu Dr.Radhakrishnan Salai
Mylapore Chennai Tamil Nadu -600 004
- 3 The Central Board of Film Certification
Rep. by its Regional Officer
35 Haddows Road, Shastri Bhavan,
Chennai - 600 006.
- 4 Youtube LLC,
901 Cherry Avenue San Bruno California -
94066 United States of America.
- 5 Google Inc.,
1600 Amphitheatre Parkway Mountain View
California 94043 United States of America.
- 6 Facebook India Online Services,
Private Limited Level 17 Wing B Two
Horizon Center Harizan Colony Sector 43
Gurugram Haryana -122022.

- 7 Rockfort Entertainment LLP,
Represented by its Partner Mr.Muruganantham
No. 50 Shankarakrupa Flats Ground Floor
Lakshmana Swamy Salai Kk Nagar Chennai -
600 078
- 8 Santhosh Peter Jaikumar,
Director and Hero C/o. Rockfort
Entertainment Llp Represented by its
Partner Mr.Muruganantham No. 50
Shankarakrupa Flats Ground Floor Lakshmana Swamy Salai,
K.K. Nagar, Chennai - 600 078.
- 9 Hari Baskaran,
Producer C/o. Rockfort Entertainment Llp
Represented by its Partner Mr.Muruganantham
No. 50 Shankarakrupa Flats Ground Floor
Lakshmana Swamy Salai,
K.K. Nagar, Chennai - 600 078.
- 10 Akriti Singh
Actress C/o. Rockfort Entertainment Llp
Represented by its Partner Mr.Muruganantham
No. 50 Shankarakrupa Flats Ground Floor
Lakshmana Swamy Salai,
K.K. Nagar, Chennai - 600 078.
- 11 Daniel Annie Pope,
Actor C/o. Rockfort Entertainment Llp
Represented by its Partner Mr.Muruganantham
No. 50 Shankarakrupa Flats Ground Floor
Lakshmana Swamy Salai,
K.K. Nagar, Chennai - 600 078.
- 12 Meenal,
Actress C/o. Rockfort Entertainment Llp
Represented by its Partner Mr.Muruganantham
No. 50 Shankarakrupa Flats Ground Floor
Lakshmana Swamy Salai,
K.K. Nagar, Chennai - 600 078.
- 13 Motta Rajendran,
Actor C/o. Rockfort Entertainment Llp
Represented by its Partner Mr.Muruganantham
No. 50 Shankarakrupa Flats Ground Floor
Lakshmana Swamy Salai,
K.K. Nagar, Chennai - 600 078.
- 14 The Government of India,
Represented by the Secretary Ministry of
Information And Broadcasting A Wing
Shastri Bhawan New Delhi 110 001.

15 The Government of India,
 Represented by the Secretary Ministry of
 Electronics And Information and Technology
 Electronics Niketan
 No.6 CGO Complex
 Lodhi Road,
 New Delhi - 110 03 ... Respondent/Respondent/Complainant
 (RR14 and 15 are Suomotu impleaded vide order dated 3.11.2020 in WP
 (MD)No.15291 of 2020))

Prayer in WP(MD). No.15291 of 2020:-

Writ petition filed under Art 226 of the Constitution of India, Praying to issue a writ of Mandamus, forbearing the 3rd respondent from granting certification to any movie which is not in accordance with the guidelines issued by the 3rd respondent and permanently injuncting the Respondents 7 to 13, their men, agents, staff or any person claiming through them, from releasing the movie IrandamKuthu, or the contents therefrom, in any form of media and consequently direct the respondents 7 to 13 to pay Costs to the tune of Rs.5 Crores towards any institution as fixed by this Honourable Court.

WP(MD). 16160/ 2020:

1. M.Lakshmi D/o.Muniasamy , No.1, Kanmai Road, West Anuppanadi ,
 P.S.A.Mahal Opp, Madurai - 625009

... Petitioner

- Vs. -

1. The State of Tamilnadu Rep by its Principal Secretary , Home Department , Secretariat, Fort.St.George,Chennai - 600009
2. The Principal Secretary to Government, Department of Information Technology , Secretariat, Fort.St.George, Chennai - 60009
3. The Regional Officer Central Board of Film Certification, Shastri Bhavan, 35, Haddows Road, Chennai - 600006
4. The Director General of Police, State of Tamil Nadu , Dr.Radhakrishnan Salai, Mylapore, Chennai - 600004
5. Rockfort Enterainment Rep by its Proprietor , Shankara Krupa Flats, No.50, Lakshmanaswamy Salai , Ponnambalam Colony , Sector 7, K.K.Ngar, Chennai - 600078
6. Santhosh P.Jayakumar Director, 2nd Main Road, Valasaravakkam, Chennai ... Respondents

Prayer in WP(MD). 16160/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ or Order or direction or in the nature of Writ of mandamus forbearing the respondents from releasing the feature film, namely , Iruttu Arayil Murattu Kuthu - Irandam Kuthu (2020) by considering the petitioners representation dated 05/11/220

ORDER:- These Writ petitions are coming up for orders on this day and upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Thiru. F. Deepak, Advocate for the Petitioner in WP(MD) No.15291 of 2020 and M/s. R. Jeyaprakash, Advocate for the Petitioner in WP(MD). 16160/ 2020 and of Mrs. J. Padmavathi Devi, Special Government Pleader for the 1st and 2nd Respondents in WP(MD) No.15291 of 2020 and for 1, 2 and 4 respondents in WP(MD). 16160/ 2020 and Ms. Victoria Gowri, Additional Solicitor General of India, for the for R3, 14 and 15 in WP(MD) No.15291 of 2020 and for R3 in WP(MD). 16160/ 2020 and this Court made the following order:

"ADVANCE ORDER"

(Order of the Court was made by N.KIRUBAKARAN, J.)

Therefore, there shall be a direction to the respondents to delete the teaser of the movie called "Iruttu Arayil Murattu Kuthu - Irandam Kuthu (2020)" from the social medias forthwith.

Call the matter on 03.12.2020. Notice to the respondents by then.

Sd/-

Assistant Registrar (P & A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To

1.The Chief Secretary,
Government of Tamil Nadu,
Rajaji Road, Fort St. George, Chennai - 600 009.

2.The Principal Secretary,
Home Department,
Secretariat, Fort St. George, Chennai - 600 009.

<http://www.judis.nic.in>

3.The Principal Secretary to Government,
Department of Information Technology,

Secretariat, Fort St. George, Chennai - 600 009.

4. The Director General of Police,
Dr. Radhakrishnan Salai,
Mylapore, Chennai, Tamil Nadu - 600 004.
5. The Regional Officer,
Central Board of Film Certification,
35, Haddows Road, Shastri Bhavan, Chennai - 600 006.
6. The Secretary,
Ministry of Information and Broadcasting,
A Wing, Shastri Bhawan, New Delhi - 110 001.
7. The Secretary,
Ministry of Electronics and Information and Technology,
Electronics Niketan, No. 6, CGO Complex,
Lodhi Road, New Delhi - 110 003.
8. YouTube LLC,
901, Cherry Avenue,
San Bruno, California - 94066, United States of America.
9. Google Inc.,
1600, Amphitheatre Parkway,
Mountain View, California, United States of America.
10. Facebook India Online Services Private Limited,
Level 17, Wing B, Two Horizon Center,
Harizan Colony, Sector 43, Gurugram, Haryana - 122022.
11. Rockfort Entertainment LLP,
Represented by its Partner Mr. Muruganantham
No. 50 Shankarakrupa Flats Ground Floor
Lakshmana Swamy Salai Kk Nagar Chennai - 600 078

ORDER DATED : 11/11/2020

WEB COPY

ORDER

WP (MD) . No. 15291 of 2020

Giving direction and etc.
as stated within.