

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2021

CORAM :

The Hon'ble Mr.SANJIB BANERJEE, THE CHIEF JUSTICE
AND

The Hon'ble Mrs JUSTICE R.HEMALATHA

W.P.(MD)No.1306 of 2021

S.Umamaheswaran

.. Petitioner

Vs

1.Union of India,
represented through its Ministry of Home Affairs,
North Block,
New Delhi – 110 001.

2.The Ministry of Information and Broadcasting,
Represented through its Secretary,
Room No.552, A wing Shastri Bhawan,
New Delhi – 110 001.

3.The Ministry of Electronics and Information Technology,
Represented through its Secretary,
Electronics Niketan, 6, CGO Complex,
Lodhi Road, New Delhi – 110 001.

4.Youtube,
Google India Pvt Limited,
1st Floor, 3 North Avenue,
Maker Maxity, Bandra Kurla Compex,
Bandra East, Mumbai – 400 051.

5 .Facebook Inc,
One BKC Bandra Kurla Complex,
Bandra East,
Mumbai – 400 051.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, directing the respondents 1 to 3 to take necessary steps to control, monitor, guide and to form a panel of censor members of the social platforms.

For Petitioner : Mr.Mr.Shylappa Kalyan.N

For respondent Nos.1 to 3 : Ms.L.Victoria Gowri,
Assistant Solicitor General of
India

ORDER

(Order of the Court was made by *The Hon'ble Chief Justice*)

The petitioner seeks the High Court in exercise of the extraordinary jurisdiction under Article 226 of the Constitution of India to play the role of a conservative censor board to monitor and control the content of what is broadcast over the social media.

2.It is open to the petitioner to live in the stone age or to protect his family or his children from the advances of technology. Though specific

complaints may be entertained, Courts are not there to impose sanctions or guidelines on how the media or even social media operates and it is for the other agencies to do so, based on the policy decision taken by the legislature of the day or the executive arm.

3.It will be open to the petitioner to propagate the kind of philosophy that the petitioner seeks to espouse and the rights of choice that are constitutionally guaranteed will not stand in the way. The petitioner may approach the appropriate legislature or executive to effectuate the petitioner's ideas; the Courts cannot impose the conditions as the petitioner desires.

4.W.P.(MD)No.1306 of 2021 is dismissed by leaving the petitioner free to approach the appropriate authority in accordance with law. There will be no orders as to costs.

WEB COPY

(S.B., CJ.) (R.H., J.)
24.02.2021

Index : No
Internet : Yes/No

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.Union of India,
represented through its Ministry of Home Affairs,
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New Delhi – 110 001.
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THE HON'BLE CHIEF JUSTICE
and
R.HEMALATHA, J.

(sj/dsk)



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