IN THE HIGH COURT OF KERALA AT ERNAKULAM

Present:

THE HONOURABLE SMT. JUSTICE P.V.ASHA

Wednesday,the 10th day of March 2021/19th Phalguna, 1942

WP(C) No.6272/2021(H)

For information purpose only

PETITIONERS

1.LIVE LAW MEDIA PRIVATE LIMITED,3RD FLOOR, 41/3197, D-2 BHAGHEERATHA RESIDENCY, BANERJEE ROAD, COCHIN, ERNAKULAM, KERALA-682 018, REPRESENTED BY ITS DIRECTOR, M.A. RASHID.

2.M.A. RASHID,,AGED 45 YEARS,S/O. LATE M. ABOOBAKER, 4C, JMJ KALPAKA KATTICAREN RESIDENCY, K.K. PADMANABHAN ROAD, POWER HOUSE JUNCTION, ERNAKULAM NORTH, ERNAKULAM DISTRICT, KERALA-682 018.

3.MANU SEBASTIAN,,AGED 32 YEARS,S/O. SEBASTIAN JOSEPH, CHANDRAKUNNEL HOUSE, KOLANI P.O, THODUPUZHA, IDUKKI DISTRICT, KERALA-685 608.

RESPONDENTS

1.UNION OF INDIA,REPRESENTED BY SECRETARY TO GOVERNMENT, MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY, ELECTRONICS NIKETAN, 6 CGO COMPLEX, PRAGATI VIHAR, LODHI ROAD, NEW DELHI-110 003.

2.MINISTRY OF INFORMATION AND BROADCASTING REPRESENTED BY THE SECRETARY, A-WING, SHASTRI BHAVAN, NEW DELHI-110 001

Writ Petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to

1) Injunct respondent Nos. 1 and 2 and their authorised officers from enforcing Part II and Part III of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021;

OR IN THE ALTERNATIVE

2) Restrain Respondent Nos. 1 and 2 from taking any coercive steps against the petitioner No.1 or its employees, directors, shareholders, or any persons who contribute articles to Petitioner No.1 for publication for failure to comply with the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021;

For information purpose only

OR IN THE ALTERNATIVE

3) Restrain Respondent Nos. 1 and 2 from enforcing any provisions of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 till the constitution and designation of the authorities required to implement the provisions of the said Rules and till an effective and adequate and effective grievance redressal mechanism and appellate remedy is provided to entities such as petitioner No.1 to challenge orders passed under the said impugned Rules.

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of M/S SANTHOSH MATHEW, DIVYA SARA GEORGE, JAISY ELZA JOE, KARTHIKA MARIA, ANIL SEBASTIAN PULICKEL, ARUN THOMAS, JENNIS STEPHEN, VIJAY V. PAUL, Advocates for the petitioners and of ASSISTANT SOLICITOR GENERAL OF INDIA for respondents (B/o), the court passed the following

O R D E R

Admit.

Learned ASGI takes notice for the respondents.

The respondents shall not take any coercive action against the petitioners for non- compliance of the provisions contained in Part III of Exhibit P1 Rules, as the petitioners are the publishers of law reports and legal literature.

10-03-2021

Sd/-
P.V.ASHA,JUDGE

/true copy/

Sd/-

ASSISTANT REGISTRAR

EXHIBIT P1: TRUE COPY OF THE INFORMATION TECHNOLOGY (INTERMEDIARY GUIDELINES AND DIGITAL MEDIA ETHICS CODE) RULES, 2021.

For information purpose only