

IN THE COURT OF THE CITY CIVIL JUDGE, AT BANGALORE

O.S. No. _____/2019

BETWEEN	
SRI. L S TEJASVI SURYA S/o L A Suryanarayana Aged about 28 years, R/a No 380, 1 st A main Road Girinagar , 1 st Phase Bangalore-5600 085	
	PLAINTIFF
AND 1. M/s. THE TIMES OF INDIA Daily News Paper, M.G.Road, Bangalore-560001 Represented by its Chief Editor. 2. M/s. THE BANGALORE MIRROR Daily news paper, M.G.Road, Bangalore-560001 Represented by its Chief Editor. 3. M/s. THE DECCAN HERALD Daily news paper, M.G.Road, Bangalore-560001 Represented by its Chief Editor. 4. M/s. THE PRAJAVANI Kannada Daily news paper, M.G.Road, Bangalore-560001 Represented by its Chief Editor. 5. M/s. THE HINDU Daily news paper, No.19 & 21, Bhagavan Mahaveer Road, Infantry Road, Bangalore-560001 Represented by its Chief Editor.	

<p>6. M/S. DECCAN CHRONICLE News paper, Koramangala, Bangalore – 560095 Represented by its Chief Editor.</p> <p>7. M/S. THE INDIAN EXPRESS DAILY Daily news paper, Vidhana Veedi, Queens Road circle, Indian Express building, Bangalore-560001 Represented by its Chief Editor.</p> <p>8. M/S. THE KANNADA PRABHA Kannada Daily news paper, Opp to Mallige Hospital, High Grounds, Bangalore-560001 Represented by its Chief Editor.</p> <p>9. M/S. VIJAYA KARNATAKA Kannada Daily news paper, Near Makkala Koota, Chamarajpete, Bangalore-560018 Represented by its Chief Editor.</p> <p>10. M/S. VIJAYAVANI KANNADA Kannada Daily news paper, Opp to Kannada Sahitya Parishath, Chamarajpete, Bangalore-560018 Represented by its Chief Editor.</p> <p>11. M/S. SANJE VANI Kannada Daily Evening news paper, Queens Road, Bangalore-560001 Represented by its Chief Editor.</p> <p>12. M/S. E – SANJE Kannada Daily Evening news paper, Dr. Rajkumar Road, Bangalore Represented by its Chief Editor.</p> <p>13. M/S. UDAYA VANI Kannada Daily news paper, C/o. M/s Manipal Trust, Manipal, Mangalore Karnataka.</p>	
---	--

<p>Represented by its Chief Editor.</p> <p>14. M/s. HOSA DIGANTHA Kannada Daily news paper, No. 1/1, 1st floor, Bhavurao Deshpande Building, 6th cross, 8th main, Malleshwaram, Bangalore-560003 Represented by its Chief Editor.</p> <p>15. M/s. TV 9 KARNATAKA & NEWS - 9 Kannada & English News Satellite Television Channels, Owned by : M/s. Associated Broadcasting Company Limited, No. 13, Rhenius Street, Richmond Town Civil Station, Bangalore-560025 Represented by its Chief Editor.</p> <p>16. M/s. SUVARNA NEWS Kannada News Channel Opp to Mallige Hospital, High Grounds, Bangalore-560001 Represented by its Chief Editor.</p> <p>17. M/s. SAMAYA NEWS Channel Kasturiba Road, Bangalore-560001 Represented by its Chief Editor.</p> <p>18. M/s. PUBLIC TV News Channel BMTc Complex, Yashvanthapura, Bangalore-560002 Represented by its Chief Editor.</p> <p>19. M/s. JANASHREE TV News Channel Salarpuria Towers Big Bazaar Building, Near Forum Mall, Hosur Road, Bangalore-560095 Represented by its Chief Editor.</p>	
--	--

<p>20. M/s. BTV NEWS 32/1-2, Crescent Tower Crescent Road, High Grounds, Next to Goldfinch Hotel Bangalore-560001 Represented by its Chief Editor.</p> <p>21. M/s. RAJ KANNADA NEWS CHANNEL Marata Building, Millers Tank Bund Road, Vasanth nagar Bangalore-560052 Represented by its Chief Editor.</p> <p>22. M/s. NEWS 18 KANNADA News Channel Unity Buildings, CSI premises, Centenary Building, Bangalore-560027 Represented by its Chief Editor.</p> <p>23. M/s. PRAJA TV Kannada News Channel Samparka Info Media Pvt Ltd Shezan Lavelle, 4th floor, No.15, Walton Road, Bangalore-560001 Represented by its Chief Editor.</p> <p>24. M/s. LANKESH PATRIKE Kannada Journal No.5/2, Unit No.001 Triumph Tower, Eagle Street, Langford Town, Bangalore-560025 Represented by its Chief Editor.</p> <p>25. M/s. GAURI LANKESH JOURNAL Kannada Journal No.9, EAT Street, Basavangudi Bangalore-560004 Represented by its Chief Editor.</p> <p>26. M/s. HAI BENGALURU JOURNAL Kannada Journal</p>	
---	--

<p>No.2, Padmanabha nagar, 2nd stage, Kadirenahalli cross, Banashankari, Bangalore-560070 Represented by its Chief Editor.</p> <p>27. M/s. AGNI KANNADA JOURNAL Kannada Journal No.3/A, 9th B main road, Prashanth Nagar, ISRO layout, Kanakapura road, Bangalore-560062 Represented by its Chief Editor.</p> <p>28. M/s. PARASHU KANNADA TABLOID No.7/1, 1st Main road, RPC layout, Vijayanagara 2nd stage, Bangalore – 560104 Represented by its Chief Editor.</p> <p>29. M/s. MYSORE MITRA Kannada Daily news paper, 15 C, Academy Newspapers Pvt. Ltd. Near Yerdi Distilleries, Bannimantapa, Mysuru. Represented by its Chief Editor.</p> <p>30. M/s. STAR OF MYSORE English Daily news paper, 15 C, Academy Newspapers Pvt. Ltd. Near Yerdi Distilleries, Bannimantapa, Mysuru. Represented by its Chief Editor.</p> <p>31. M/s. ANDOLANA Kannada Daily news paper, 777, 7th cross, Ramanuja road, Mysuru. Represented by its Chief Editor.</p> <p>32. M/s. DIGVIJAYA NEWS Kannada News Channel No. 131/3, Lalbagh Road, Near Passport Seva Kendra Bangalore-560018 Represented by its Chief Editor.</p>	
---	--

<p>33. M/s. TV5 Kannada News Channel Railway Parallel road, Kumara Park, Bangalore. Represented by its Chief Editor.</p> <p>34. M/s. VISHWAVANI Kannada Daily No.3078, 1st cross, Gayathri Nagar, Bangalore-560021 Represented by its Chief Editor.</p> <p>35. M/s. WHATSAPP 1st floor, 3 North Avenue Maker Maxity Bandra Kurla Complex Bndra East Mumbai – 400051. Represented by Managing Director .</p> <p>36. M/s. YOUTUBE LLC 901, CherryAve San Bruno, CA94066 USA</p> <p>Also having Bangalore office at, C/o Google India Pvt. Ltd. No.3, RMZ Infinity – Tower E Old Madras road, 3rd & 4th Floor, Bangalore - 560016 Represented by Head of Brand & Reputation, Marketing & Strategy.</p> <p>37. M/s. YAHOO INDIA PVT. LTD Unity No.126 L 6th floor, Building No.12, Solitaire Corporate Park, No.167, Guru Hargovindji Marg (Andheri GhatkoparLink Road) Andheri East, Mumbai - 92 Represented by Managing Director .</p> <p>38. M/s. FACEBOOK INDIA Corporate Office Building No.20 Raheja Mind space Hitech City, Hyderabad - 81 Represented by Managing Director .</p>	
---	--

<p>39. M/s. GOOGLE INDIA PVT. LTD. No.3, RMZ Infinity – Tower E Old Madras road, 3rd & 4th Floor, Bangalore - 560016 Represented by Managing Director .</p> <p>40. M/s. KASTURI TV & KASTURI 24/7 NEWS Kannada News Channel Kasturi Ba Road, Bangalore-560062 Represented by its Chief Editor.</p> <p>41. M/s. ABP LIVE NEWS CHANNEL Owned & operated by ABP News Network Pvt. Ltd. A-37, Sector-60, Noida – 201 307 Represented by its Chief Editor.</p> <p>42. M/s. CNN NEWS 18 Global Broadcast News, Express Trade Tower, Plot No. 15-16, Sector-16A, Noida – 201 301 Represented by its Chief Editor.</p> <p>43. M/s. INDIA TODAY India Today Group Media Plex FC- 8, Sector-16A, Film City, Noida – 201 301 Represented by its Chief Editor.</p> <p>44. M/s. NEWS X B/4, Sector-3, Noida – 201 301 Represented by its Chief Editor.</p> <p>45. M/s. REPUBLIC TV Bombay Dyeing Compound Worli, Mumbai – 400018. Represented by its Chief Editor.</p> <p>46. M/s. TIMES NOW Bennett, Coleman & Company Ltd. 6th Floor, Tower 1, Equinox Business</p>	
---	--

<p>Park Off. BKC, LBS Marg, Ambedkar Road, Kurla West, Mumbai – 400070. Represented by its Chief Editor.</p> <p>47. M/s. SAMYUKTHA KARNATAKA Kannada Daily news paper, No. 2, Residency Road, Shanthala Nagar, Ashok Nagar, Bangalore-560025 Represented by its Chief Editor.</p> <p>48. M/s SRINATH PATRIKE Kannada fortnightly news paper, JSS Hospital Road, Ramachandra Agrahara, Mysuru – 570004</p> <p>49. M/S SAMARA NEWS A Kannada news channel JSS Hospital Road, Ramachandra Agrahara, Mysuru – 570004</p>	
---	--

DEFENDANTS

**MEMORANDUM OF PLAINT FILED UNDER SECTION 26 R/W ORDER VII RULE 1
OF CIVIL PROCEEDURE CODE**

The Plaintiff above named respectfully submits as follows:

1. The address of the Plaintiff for the purpose of court summons, notices, etc issued from this Hon'ble Court is as stated in the cause title above and the Plaintiffs may also be served through their Counsels Mr. Sudharsan Suresh, Mr. Sandeep Ravi & Mr. Sainath D M, having their Office at No.144, 1st Floor, 50 Feet Road, Hanumanth Nagar, Bangalore-560 019.
2. The address of the Defendants for service of summons, notices and other processes of this Hon'ble court is as stated in the cause title above.

3. The Defendants are print media and electronic media channels which claim to publish news and they have wide readers and audiences throughout the state of Karnataka and as well as throughout the country. The said defendants publish and telecast in both English and Kannada language.

4. The Plaintiff is a young and dynamic Advocate practising across the various courts in Karnataka. He has an avid interest in public speaking and has spoken at various forum. Further with an intention to serve the public at large and known for his popularity amongst the public, he is fielded as a candidate of the Bharatiya Janatha Party (BJP) from the Bangalore South Lokasabha constituency for the up-coming elections for the year 2019.

5. The Plaintiff further submits that, he is the State General Secretary of the BJP Yuva Morcha Karnataka and plays a pivotal role in organising the party activities amongst the youth's across the State of Karnataka. The Plaintiff has a very wide following not only in his constituency but also across the entire state of Karnataka, especially amongst the youths.

6. The Plaintiff further submits that he is widely followed across the various social media platforms including Facebook, Twitter and Instagram. He has a significant number of followers in Facebook alone which makes him one of the highly followed individuals in the State of Karnataka.

7. The Plaintiff further submits that, certain people who are jealous of his growing popularity and thereby exhibiting vindictiveness and as a result are going on with their efforts to tarnish his image keeping in view of the upcoming lokasabha elections scheduled to be held shortly. Some

of the messages pertaining to him in this regard are collectively produced herewith as *Document No.1 series*.

8. The Plaintiff further submits that people who are ill –willed against him have stooped into such acts and therefore maligning the image of the plaintiff by publishing false and malicious information.

9. The Plaintiff apprehends that if people who are envious about the growth of the plaintiff, shall circulate such false messages to the aforesaid media houses. The media houses believing it to be true shall publish the same and consequently the same would lead to the tarnishing his image and the hard earned reputation of the plaintiff.

10. The Plaintiff submits that the Media (including the electronic, print and social media) is one of the most important platforms in the modern day society and plays an important role in shaping up the public opinion and sentiments. However, rather than concentrating on the qualitative and informative content, the media have chartered their own doctrine to present anything as news without assessing the damage which it may cause to the people and entities that are on the receiving ends at the hands of such media. The Media has an outreach to a large number of people and the news published, be it true or false shall have an enduring impact. Some of the Media houses, including a few of the defendants herein, take pride in glamorizing any event without even verifying its authenticity and present the same in an irresponsible manner, sensitizing even a small issue which is not worth being made public without realizing and understanding the catastrophic impact and implication of such programme/news/article/post. In the world of their competition, they have crossed all the borders of decency, morality and free will adversely affecting the Moral standing of the Press. This unfortunate development

would manifest itself, if any false information is telecasted in any channels or a news/ article published by the defendants herein.

11. The Plaintiff has reasons to believe that the said unscrupulous individuals may have doctored the alleged material and that would forward the same to the Defendants which would be made public through their platforms with an ulterior motive to tarnish and defame his image just before the upcoming parliamentary elections. Furthermore, if the same is made public it may bring him serious disrepute before the public at large and shall have a negative impact about him the minds of right thinking people. If such a malicious attempt at bringing in disrepute is not stopped, it will not only harm the reputation of the Plaintiff but also tarnish his positive image built over years by him.

12. The Plaintiff further submits that, if the defendants herein start telecasting / publishing false, exaggerated, manipulated and imaginary content in their respective media houses, the same would cause immense and irreparable loss of reputation to the plaintiff which cannot be compensated in any manner thereafter. It appears to be deliberate attempt of character assassination to bring disrepute to the plaintiff.

13. In view of the foregoing, the Plaintiff submits that he has satisfied essential ingredients for an order of injunction by making a *prima facie* case. It is also evident from the above facts that, the balance of convenience also lies in the favour of the Plaintiff.

14. The Plaintiff further submits that if any such concocted defamatory, derogatory and false information about him is telecasted / published, the same would put the plaintiff to huge hardship and would virtually bear an adverse impact on the political career of the plaintiff which he has built over the past several years and also coming from a humble background. Any such damage could not be compensated in terms of money or

moneys' worth and hence the Plaintiff is put to imminent threat and danger. Hence this suit.

15. The Plaintiff submits that the cause of action for the above suit has arose on 27.03.2019 when the Plaintiff read the aforesaid alleged statements at his Bangalore residence wherein it was stated that there was a material against the Plaintiff .

16. The suit is in time and there is no pendency of any legal proceedings and litigations in the past or present concerning any part of the subject matter of this suit in any court within the knowledge of the plaintiff.

17. The cause of action has arisen within the territorial jurisdiction of this Hon'ble Court and the plaintiff's permanent address is within the jurisdiction of this Court and as such, this Hon'ble Court has jurisdiction to entertain the present proceedings.

18. This court has the pecuniary jurisdiction to entertain the present application and Suit is filed within the period of limitation..

19. A fixed Court fee of Rs. 100/- is paid on this petition under the provisions of the Karnataka Court Fees and Suits Valuation Act, 1958. .The Court fee is paid as per the calculation and valuation slip, annexed with this Plaint.

PRAYER

WHEREFORE, the Plaintiff above-named most respectfully prays that this Hon'ble Court may be pleased to, to pass an order of permanent injunction against the defendants-

- a) PERMANENT INJUNCTION, restraining the defendants, their men, agents or anybody else claiming under them from telecasting / transmitting / publishing / distributing / sharing any material in any permanent / transient / audio format in any print media / newspaper / television channels / local cable operated channel / internet / website / radio channel / social media etc, anything false, malicious, defamatory and derogatory news concerning / relating to the Plaintiff directly or indirectly.
- b) Pass such other orders as this Hon'ble Court deems fit under the facts and circumstances of the case and in the interest of justice and equity.

ADVOCATE FOR PLAINTIFF

PLAINTIFF

VERIFICATION

I, the Plaintiff above named do hereby verify and declare that what is stated above are all true and correct to the best of my knowledge, information and belief.

Bangalore

Date :

PLAINTIFF

IN THE COURT OF THE CITY CIVIL JUDGE, AT BANGALORE

O.S. No. _____/2019

BETWEEN:

SRI. TEJASVI SURYA

...

Plaintiff

AND:

M/S TIMES OF INDIA & ORS

...

Defendants

AFFIDAVIT VERIFYING THE APPLICATION

I, TEJASVI SURYA, S/o L A Surayanarayana , aged about 28 years at R/a No 380,1st A main Road , 1st stage, Girinagar, Bangalore-5600 085 hereby solemnly affirm and state on oath as follows:

1. I state that I am the Plaintiff in the above matter. I state that I am aware of the facts and circumstances of this case and hence competent to swear to this affidavit.
2. I hereby submit that whatever has been stated in paras 1 to 19 is true to the best of my knowledge in the information and belief.
3. **Document. 1 Series** are photocopies of the originals.
4. I hereby affirm that whatever stated hereinabove are true to the best of my knowledge information and belief.

Identified by me

Advocate

Deponent