

WP NO. 7944 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06-03-2025**

CORAM

THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

WP NO. 7944 of 2025

AND

WMP NO. 8920 OF 2025, WMP NO. 8922 OF 2025,

WMP NO. 8921 OF 2025

Ananda Vikatan Productions Private Ltd
Rep By Its Authorised Signatory, Mr.T.Murugan, Regd Office
At.No.757,Anna Salai, Chennai-600 002 and 2 Others

Petitioner(s)

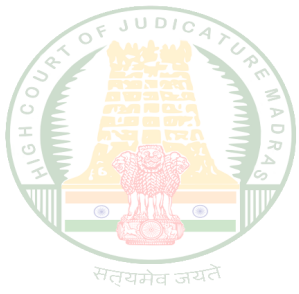
Vs

Union Of India
Rep By The Secretary, Ministry Of Information And
Broadcasting, A-wing Shastri Bhawan, New Delhi-110 001

Respondent(s)

For Petitioner: Mr.Vijay Narayanan, Senior Counsel
assisted by Mr. Rahul Unnikrishnan

For Respondent: Mr.AR.L.Sundaresan, Additional Solicitor General of India,
assisted by Mr.R.Rajesh Vivekananthan, Deputy Solicitor General of India.



WP NO. 7944 of 2025

ORDER

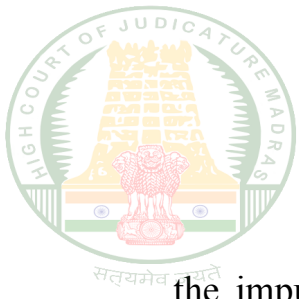
WEB COPY This writ petition is filed challenging the order dated 25.02.2025.

2. Heard, Mr. Vijay Narayanan, the learned counsel for the petitioner, and Mr. AR.L. Sundaresan, the learned Additional Solicitor General of India for the respondent.

3. The petitioners' grievance is that a cartoon was published in the e-magazine uploaded to their website. The respondent seems to have received a complaint about it. Pursuant to this complaint, the respondents passed the impugned order. The respondents concluded that the offending cartoon affects India's sovereignty and depicts the matter in a manner likely to affect the bilateral ties between India and the United States of America. On this basis, they have blocked the petitioners' website.

4. The learned Senior Counsel for the petitioner argues that the caricature depicting individual leaders does not undermine the sovereignty and integrity of India. It is simply an artistic expression of thought and is protected under the petitioner's journalistic freedom of speech and expression.

5. Per contra, the learned Additional Solicitor General of India, representing the respondent, argues that the order is clear and categorical in how



WP NO. 7944 of 2025

WEB COPY

the impugned caricature violates Section 69A of the Information Technology Act, 2000. Section 69A imposes a reasonable restriction on fundamental rights; thus, the order has been rightly issued. He further asserts that the impugned order indicates that the committee would have considered the matter if the petitioner had removed the cartoon and informed them.

6. Given the opposing submissions, the issue for consideration in this Writ Petition is whether the contested caricature is protected under the petitioners' journalistic and artistic freedom of thought and expression or if it falls under Section 69A of the Information Technology Act, 2000. After hearing both sides, this question can be decided.

7. The learned Additional Solicitor General of India, appearing for the respondent, seeks two weeks to file a counter. Let the counter be filed and the matter be posted for hearing on 21.03.2025.

8. In the meantime, pending further orders from this Court, it is evident that the only issue in dispute is the offending caricature, and the entire website need not be blocked. The journal can remain accessible to the public and its subscribers. Therefore, the petitioner shall remove the offending page containing



WP NO. 7944 of 2025

the cartoon, and the website shall be made operational immediately thereupon.

WEB COPY

This is subject to the ultimate decision and further orders of this Court. After removing the contentious page, the petitioner shall inform the respondent by email as expeditiously as possible. Upon receipt of the email, the website shall be unblocked and shall become accessible as soon as possible. The parties shall act upon the receipt/production of the web copy of the order without waiting for the certified copy of the order.

06-03-2025

nsI