

IN THE HIGH COURT OF KERALA AT ERNAKULAM  
PRESENT  
THE HONOURABLE MR.JUSTICE DEVAN RAMACHANDRAN

Thursday, the 30<sup>th</sup> day of November 2023 / 9th Aagraharyana, 1945  
WP(C) NO.40030 OF 2023(C)

**PETITIONERS:**

1. DAYA GAYATHRI, AGED 28 YEARS, D/O M.O. ANTO, RESIDING AT AMRA 40, SHANTHINIKETHAN, AUTOMOBILE ROAD, PALARIVATTOM P.O., PIN - 682025
2. ANAGH, S/O SUBHAVU KUMAR K., AMANAKARA MANA, ROHINI NAGAR, THIRUVANATH TEMPLE ROAD, AYYANTHOLE P.O. THRISSUR, PIN - 680003
3. DHISHA (REG. NO. MPM/CA/294/2015), (NON-PROFIT ORGANIZATION) JANASEVANA KENDRAM, GRHS ROAD, KOTTAKKAL, MALAPPURAM - 676 503., REPRESENTED BY ITS PRESIDENT DINU K., AGED 28 YEARS S/O RADHAMANI C. K. RESIDING AT DIVYA NIVAS, FAROOK COLLEGE P.O., KOZHIKODE 673632

**RESPONDENTS:**

1. STATE OF KERALA REPRESENTED BY CHIEF SECRETARY, GENERAL ADMINISTRATION DEPARTMENT, THIRUVANANTHAPURAM, PIN - 695001
2. INSPECTOR GENERAL, DEPARTMENT OF REGISTRATION, VANCHIYUR P.O., THIRUVANANTHAPURAM KERALA, PIN - 695035
3. DISTRICT REGISTRAR, DISTRICT REGISTRAR (GENERAL)OFFICE, 1ST FLOOR TRANSPORT BHAVAN, FORT P.O., THIRUVANANTHAPURAM, PIN - 695023
4. STATE POLICE CHIEF POLICE HEAD QUARTERS, VELLAYAMBALAM THIRUVANANTHAPURAM P.O., PIN - 695010
5. STATION HOUSE OFFICER PALARIVATTOM POLICE STATION, PALARIVATTOM P.O., PIN - 682025
6. YOUTH ENRICHMENT SOCIETY (REG NO.TVM/TC/241/2023) JAMES M. JOSHUA, C/O LILLY HUDSON, ROHINI COMPOUND, OPPOSITE LIC, PATTOM P.O., TRIVANDRUM- REPRESENTED BY SHIBIL T.K., S/O YUSAF T.K., THAIKUMPARAMBIL, THALIYAMKUNDU, PORUR P.O., MALAPPURAM, PIN - 695004

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 direct the Respondents 1 to 3 to consider the Exhibit P10 and P11 and till then direct the Respondents 1 to 4 to prohibit and restrain the 6th respondent from making any derogatory remarks through their social media and to remove the hate speeches and hate campaign made against the petitioners from the social media accounts of the 6th respondent pending disposal of the writ petition.

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.LEGITH T.KOTTAKKAL & P.R.BANERJI, Advocates for the petitioners and of GOVERNMENT PLEADER for respondents 1 to 6, the court passed the following:

**DEVAN RAMACHANDRAN, J.**

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**WP(C) No.40030 of 2023**  
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Dated this the 30<sup>th</sup> day of November, 2023

**ORDER**

If the allegations in this writ petition have any veracity, then it presents a very serious issue which should gain the attention of the 4<sup>th</sup> respondent - State Police Chief, as also the competent Authority of the 1<sup>st</sup> respondent - State of Kerala.

2. Suffice to say, every citizen has a right to live, which is equal and less to no other. These rights are constitutionally provided and protected and cannot be attenuated or suppressed by any person who may have propagandist ideas or deleterious philosophies to follow.

3. Cyber space is no longer a myth, it is a reality. It is one where reputations of persons are easily attacked and deracinated and the perpetrators believe that they can do so being without any accountability. This has to necessarily change because, in a civilized world, the Authorities are to acknowledge the issues involved and to take necessary repertory action because, otherwise, it is possible that certain sections would certainly be subjected to great prejudice.

4. I, therefore, direct the petitioners to take out notice to respondent No.6 by speed post. The learned Government

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Pleader - Sri.Sunil Kumar Kuriakose, in the meanwhile, will obtain instructions from respondents 1 to 5 as to the action with respect to the complaints in this writ petition - if already taken, or to be suggested. The 4<sup>th</sup> respondent - State Police Chief shall also look into this aspect and take necessary measures as may be warranted and an Action Taken Report in this regard will be placed before this Court by the next posting date.

List after three weeks.



Sd/-

**DEVAN RAMACHANDRAN,****JUDGE**

MC

**APPENDIX OF WP(C) 40030/2023**

**Exhibit P10**

**COPY OF THE COMPLAINT IS SUBMITTED TO RESPONDENTS 1 TO 3 THROUGH EMAIL**

**Exhibit P11**

**COPY OF THE EMAIL DATED 24-11-2023 SENT BY THE 3RD PETITIONER**

