

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Friday, the Tenth day of January Two Thousand Twenty

PRESENT

THE HON`BLE MR JUSTICE N. KIRUBAKARAN

AND

THE HON`BLE MR JUSTICE P. VELMURUGAN

WP No.32091 of 2019

1 MR.S.SEKARAM, [PETITIONER]

Vs

1 THE STATE OF TAMIL NADU, [RESPONDENTS]
REP BY ITS SECRETARY TO GOVERNMENT,
HOME DEPARTMENT, FORT ST.GEORGE,
CHENNAI-600 004.

2. THE DIRECTOR GENERAL OF POLICE,
CBCID
OLD COMMISSIONER OFFICE,
EGMORE, CHENNAI 600 008.

3. THE ADDITIONAL DIRECTOR GENERAL OF POLICE,
IDOL WING CID, OFFICE CAMPUS OF EOW,
INSTRUSTIAL ESTATE, GUINDY, CHENNAI-600 032.

4. MR. A.G.PONNMANICKAVEL,
THE INSPECTOR GENERAL OF POLICE,
IDOL THEFT WING CID, OLD SIPCOT BUILDING,
INDUSTRIAL ESTATE, GUINDY, CHENNAI-32.

5. THE SECRETARY,
INFORMATION AND PUBLIC RELATIONSHIP DEPARTMENT,
GOVERNMENT OF TAMIL NADU, FORT ST. GEORGE,
CHENNAI.

6. PRESS COUNCIL OF INDIA,
REP. BY. ITS SECRETARY,
OM-PLAZA, SECTOR 19, INDRA NAGAR,
LUCKNOW, UTTAR PRADESH-226 016.

7.MADRAS UNION OF JOURNALISTS (MUJ) ,
NO.8,RITCHIE STREET, NARASINGAPURAM,
CHENNAI-600 017,
ANNASALAI, CHENNAI.

8. THE MADRAS REPORTERS GUILD,
OMANDURAR GOVERNMENT ESTATE, CHENNAI.

9. CHENNAI PRESS CLUB, NAVALAR NAGAR,
CHEPAUK, TRIPLICANE, CHENNAI.

(R5 TO R9 SUO-MOTU IMPEADED AS PER ORDER DT. 10.01.2020 MADE
IN WP.NO.32091 OF 2019 BY NKKJ & PVJ.)

Writ petitions under article 226 of the Constitutions of India praying that in these circumstances stated therein and in the respective affidavits filed their with the High Court will pleased to issue WRIT OF MANDAMUS by directing the 1st respondent to consider the representation dated 26/09/2019 there by further direct the 2nd respondent to form a team and investigate on due process of law against the report conveying fallacious investigation data in Idol theft submitted by special officer Idol wing, before the honorable High court in WP.NO.32091 OF 2019.

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.LITA SRINIVASAN, Advocate for the petitioner and of MR.ARUL ADVOCAT FOR MR. V.SELVARAJ, ADVOCATE FOR 4TH RESPONDENTS AND OF MS. KRITHIKA KAMAL, GOVERNMENT ADVOCATE (CRIMINAL SIDE) on behalf of the Respondents the court made the following order:-

(Order of the Court was made by **N. KIRUBAKARAN, J.**)

The present Writ Petition has been filed by one Mr.S.Sekaram seeking a writ of mandamus directing the first respondent viz., The Director General of Police, Tamil Nadu to consider his representation dated 26.09.2019 to form a team and investigate on due process of law against the report conveying fallacious investigation data in Idol theft submitted by special officer Idol wing before this Court.

2.Today, when the matter is taken up for hearing, Ms.Krithika Kamal, learned Government Advocate (Criminal Side) filed counter on behalf of the official respondents and Mr.Arul, learned counsel representing on behalf of the 4th respondent also filed counter. Mr.Arul, learned counsel would submit that the petitioner is a fake press person and his magazine "Maneeda Manam" is not known to anybody and the petitioner has not stated the number of copies of his magazine being circulated. Many persons are claiming to be press people by registering their magazines/newspapers with the authorities and printing only handful of copies and throwing it to the places of officials and politicians writing negative stories, making allegations against them and thereafter blackmailing them. This has become a regular feature and therefore, some mechanism has

<https://hcservices.courtsgo.in/hcservices> place to check the fake journalists/press reporters.

3. When the matter came up for hearing on 06.01.2020, since the petitioner has submitted the said representation dated 26.09.2019 under the pretext of a Press reporter, this Court directed the petitioner to disclose his credentials and his membership in the press club.

4. As regards the query raised by this Court in the earlier hearing viz., 06.01.2020, Mrs. Lita Srinivasan, learned Counsel for the petitioner filed a reply affidavit and Paragraph No.2 of the reply affidavit is extracted as follows:

"2. I submit that besides being a free lance reporter for over 10 years, I am the editor of Maanida Manam a fortnight magazine also. I hold valid Government press pass continuously for several years. Some of them are filed in the additional typed set filed by me. The press pass is issued for every year with validity upto 31st December. For the current year my application was made on 27.11.2019 and is normally issued automatically after Pongal in the month of January."

5. From the above, it is seen that the petitioner is running a fortnightly Magazine called "Maneeda Manam" for the past ten years. Hence, he is directed to give the circulation details as well as the registration details of his magazine for the past ten years [Each year detail has to be given separately] in the next hearing.

6. Mrs. Lita Srinivasan, learned Counsel for the petitioner also produced six original identity cards of the petitioner which are said to have been issued by the authorities of Information and Public Relationship Department. Along with the six identity cards, one more identity card is also produced which sprang a surprise as it is not related to that of the petitioner, but it is the original identity card of one Mr. Khadar Basha, Deputy Superintendent of Police, District Crime Branch, Thiruvavur who has been suspended from service for his alleged involvement in Idol theft case. This raises suspicion with regard to the bonafides of the petitioner in approaching this Court by filing this Public Interest Litigation. Further, this Court also suspects that the petitioner has filed the present writ petition claiming himself to be a press reporter at the instance of some third parties to scuttle the idol theft case. It is not known as to how the identity card of Mr. Khadar Basha landed into the hands of the petitioner. The Identity cards are directed to be placed in sealed covers. Further, the petitioner is also directed to file an affidavit under what circumstances the identity card of the said Mr. Khadar Basha who has been arrayed as an accused came into the hands of the petitioner. When the credential of the petitioner as a press reporter is questionable, incidentally this Court would like to go into the issue of fake journalists/press reporters, as rightly pointed out by Mr. Arul,

learned counsel representing Mr.V.Selvaraj, learned counsel for the 4th respondent.

7.It is evident from the media reports that many people are claiming themselves as press reporters and said to have been committing crimes and blackmailing business people and Government officials. In one such case, based on the complaint preferred by "Daily Thanthi" management, a fake press person who collected money from a school management claiming to be a reporter of "Daily Thanthi" was arrested. This is only a tip of an iceberg and many fake press people are claiming themselves to be reporters of popular and established newspapers and collecting money from organizers of meetings/seminars bringing disrepute to those popular newspapers/magazines. It is also stated that the genuine press reporters are sidelined and these fake press people / press reporters have taken over all the press associations and they are said to be dominating the associations. They are allegedly reporting news on payment. There should be a parameter such as minimum circulation for magazines or newspapers to claim themselves as press people. The credentials of the parties have to be verified in detail before issuing the identity cards, since many people having criminal background also claim to be press people and indulging in criminal activities using this as a shield like that of the many criminals who purchase law degrees and use it as a shield for their criminal activities. Since the image of the press off late is damaged because of the activities of the people who are claiming to be press reporters, the system has to be cleaned so that the interest of genuine journalists/press people will be protected. Therefore, this Court suo motu impleads,

(i).The Secretary, Information and Public Relationship Department, Government of Tamil Nadu, Fort St. George, Chennai;

(ii).Press Council of India, Rep by its Secretary, Om-Plaza, Sector 19, Indra Nagar, Lucknow, Uttar Pradesh-226016.

(iii).Madras Union of Journalists (MUJ), No.8, Ritchie Street, Narasingapuram, Chintadripet, Anna Salai, Chennai;

(iv).The Madras Reporters Guild, Omandurar Government Estate, Chennai;

(v).Chennai Press Club, Navalar Nagar, Chepauk, Triplicane, Chennai;

as respondents 5 to 9 in the proceedings.

8.Ms.Krithika Kamal, learned Government Advocate (Criminal Side) takes notice on behalf of the 5th respondent. Notice to respondents 6 to 9 returnable by 21.01.2020. Private Notice including E-mail, Courier and Whatsapp are permitted.

9.The following queries are to be answered by the official respondents:-

1. How many newspapers or magazines including weekly as well as fortnightly are registered with the Government of Tamil Nadu for the past 10 years? [year wise details in each category such as magazine or newspaper have to be given].
2. How many persons are issued with press identity cards totally by the Government?
3. Are cases registered against people who are claiming to be press reporters for indulging in criminal activities? If it is so, how many cases have been filed and the present stage of those cases?
4. Whether people claiming as Press reporters are indulging in blackmailing and conducting Katta Panchayat?
5. Is there any Government scheme for the benefit of press people in case of any accidents or untimely death?
6. Who are all the members of the Accreditation committee and the media organisation they belong to and the circulation or viewership of the said media organisations?
7. On what basis the members of the Accreditation committee are selected?
8. Why not the State Government consider establishing a statutory body like Press Council of India to take action against the errant members?
9. What are all the list of journalist associations registered in Tamil Nadu?

10.The following queries are to be answered by the newly impleaded respondents 6 to 9:-

1. How many reporters from the newspapers/magazines registered with the Registrar of the Newspapers for India and Audit Bureau of Circulation are enrolled as members of each Association viz., Madras Union of Journalists, The Madras Reporters Guild and Chennai Press Club.
2. Who are all the office bearers of these associations viz., Madras Union of Journalists, The Madras Reporters Guild and Chennai Press Club and the newspapers/magazines they belong to?
3. Who are all the members of all the three associations viz., Madras Union of Journalists, The Madras Reporters Guild and Chennai Press Club?
4. When was the last membership enrolment conducted for all the three associations viz., Madras Union of Journalists, The Madras Reporters Guild and Chennai Press Club?
5. When was the last election conducted to all the three associations viz., Madras Union of Journalists, The Madras Reporters Guild and Chennai Press Club?
6. Whether fake press people and people not connected with the professions have entered into the associations and dominating the genuine press people and what are all the acts done by those fake press people?

11.The respective respondents have to give the above details in the next hearing date without fail.

Call the matter on 21.01.2020.

-sd/-
10/01/2020
/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE SECRETARY TO GOVERNMENT,
STATE OF TAMIL NADU,
HOME DEPARTMENT, FORT ST.GEORGE,
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C.C. to MR.LITA SRINIVASAN Advocate on payment of necessary charges

The Government Advocate, High Court, Madras - 104.

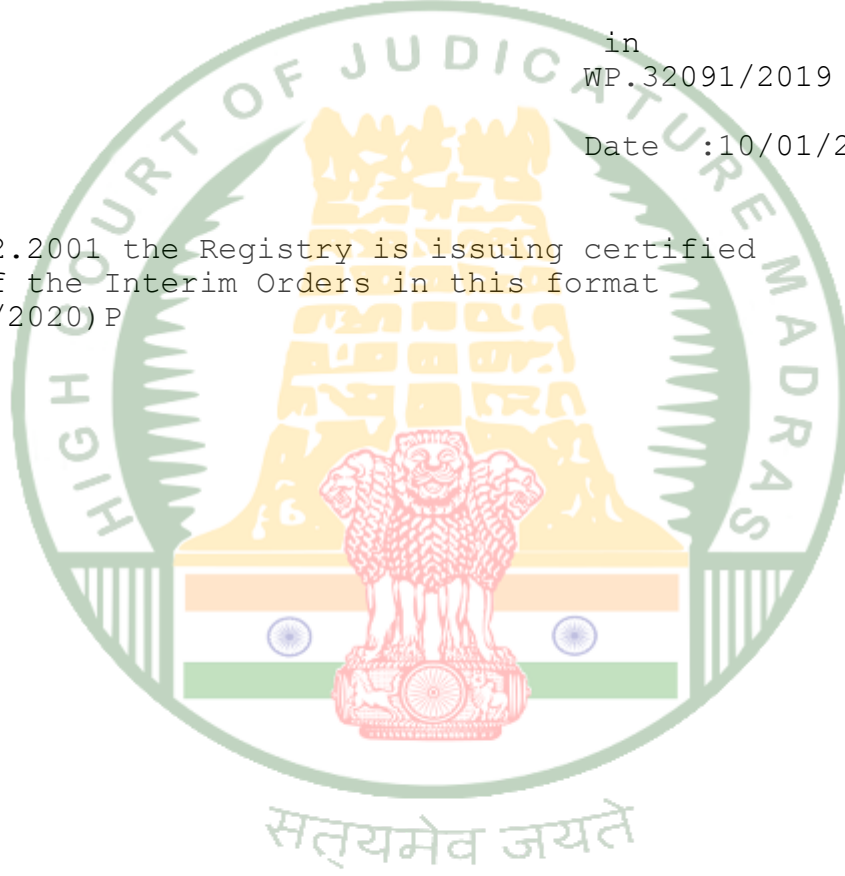
Order

in

WP.32091/2019

Date :10/01/2020

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