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**IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR  
WP No. 29667 of 2023**

*(RANJIT SINGH PATEL Vs THE STATE OF MADHYA PRADESH AND OTHERS)*

**Dated : 04-12-2023**

*Shri Pankaj Dubey - Advocate for the petitioner.*

*Smt Swati Aseem George - Government Advocate for respondent No.1-  
State.*

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Heard on admission as well as on interim relief.

The melancholy of the petitioner is with regard to objectionable posts/news-contents posted/published by respondents No.3 to 9, which are not only defamatory but also maligning the image of Aacharya Shri Dharendra Krishna Shastri, who according to the petitioner, is his venerated Guru and is Peethadheeshwar of Shri Bageshwar Dham, Chhatarpur.

To justify the claim, the petitioner has made appendage certain incriminating material and also reproduced some of the posts/messages, which were floated/published in electronic media platforms, like - Twitter, facebook, youtube, etc and in print-media i.e. respondents No.3 to 6. As per the petitioner, his Guru Aacharya Shri Dharendra Krishna Shastri is a renowned and venerated saint of Sanatan Dharm and his glory is sprawling beyond the regions for disseminating the celestial messages of holy scriptures including Ramayan and Bhagavad Gita. Respondent No.10, according to the petitioner, is ex-Member of the Legislative Assembly claiming himself to be a leader of OBC community's right activist, being unhappy with the prodigy of Aacharya Shri Dharendra Krishna Shastri and as such with connivance of respondents No.3 to 9 is bent upon to tarnish his image by publishing/posting baseless and objectionable posts.

Focusing upon the rules namely, 'the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021' (for brevity "Rules, 2021"), Shri Dubey submits that Rule 2 of Rules, 2021 provides definition of 'publisher' and 'social media intermediary'. Further, Rule 3 provides as to what exercise is required to be undertaken before publishing any news item relating to an individual. He also submits that before publishing any defamatory tidings, it is the responsibility of respondents No.3 to 9 to first ascertain the veracity of that news with the person concerned against whom it is to be published and then only it can be displayed via electronic media platforms. Lo and behold, it is not done in the case at hand. He also draws attention of this Court towards application of the Rules, 2021 as has been provided under Rule 8 of Rules, 2021 and according to him, the provisions are applicable upon respondents No.3 to 9.

Shri Dubey sanguinely submits that the disgruntled petitioner has represented the matter to all concerning authorities for initiating appropriate action against respondents No.3 to 9 and for restraining them from publishing any defamatory/obscene news relating to his Guru Acharya Shri Dhirendra Krishna Shastri, but all ended in fiasco. He also submits that finding no ray of hope and left with no option, the petitioner has approached this Court by filing this petition so that appropriate action may be directed to be taken against them and they may be restrained from disparaging the image by publishing and displaying defamatory/obscene news/posts about his Guru, which is a direct onslaught on the religious reverence and causing grave scathe to the sentiments and emotions of the disciples of Guru Acharya Shri Dhirendra Krishna Shastri.

*Exempli gratia* - Shri Dubey has placed a copy of order dated 16.02.2022 passed in W.P.No.3610/2022 wherein the Coordinate Bench of this Court was pleased to direct the print-media not to publish any such news by name which distorted the image of the petitioner therein.

I have considered the submissions and perused the documents made available on record.

Let notice be issued to respondents No.2 to 10 on payment of process fee within seven days by registered AD mode, returnable within six weeks.

By way of interim measure, it is directed before publishing/displaying/posting any news/tidings relatable to Aacharya Shri Dhirendra Krishna Shastri, they should adhere to the norms of journalistic conduct and first ascertain the veracity of such news/tidings from the concerning person whether it is disgraceful for his image or not and then following the requirement of Rules, 2021, shall float such news/tidings. It is also directed that the posts already displayed in electronic media, which tarnishes the image of Aacharya Shri Dhirendra Krishna Shastri shall be deleted forthwith.

List this matter in the week commencing **08.01.2024**.

Certified copy as per rules.

**(SANJAY DWIVEDI)**  
**JUDGE**