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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Judgment delivered on: 24.12.2024

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CS(OS) 1008/2024**MR VINAY MAHESHWARI**

.....Plaintiff

Through: Mr. J. Sai Deepak, Senior Advocate with Mr. Rohit Jain, Mr. Avinash Kumar Sharma, Mr. Aslam Ahmad, Ms. Neha Khanduri and Ms. Komal Sharma, Advocates

versus

MR. MANOJ MANCHU & ORS.

.....Defendants

Through: Mr. Aditya Gupta and Ms. Asavari Jain, Advocates for Defendant No.4/Google LLC
Mr. Amit Bajaj, Advocate for Defendant No. 9/ HT Media Ltd.

CORAM:**HON'BLE MS. JUSTICE SWARANA KANTA SHARMA****JUDGMENT****SWARANA KANTA SHARMA, J.****I.A. 48601/2024 (Under Order XXXIX Rule 1 and 2 CPC)**

1. The present application under Order XXXIX Rule 1 and 2, read with Section 151 of the Code of Civil Procedure, 1908 [hereafter '**CPC**'] has been filed on behalf of the applicant/ plaintiff herein,



seeking grant of ad-interim *ex-parte* injunction in favour of the plaintiff and against the defendants.

FACTUAL CONTEXT

2. Briefly stated, facts of the present case, as set out in the plaint and the present application, are that the Plaintiff is a well-known professional in the fields of media, entertainment, and business, having established a distinguished career spanning over 27 years in corporate and entrepreneurial ventures. He has held leadership positions in reputed organizations such as Dainik Bhaskar Group, Sakshi Media Group, and India TV, where he spearheaded transformative initiatives, earning numerous accolades for his contributions. Currently, the Plaintiff runs a consulting firm collaborating with prominent media organizations, businesses, and start-ups.

3. The Defendants in this matter include Defendant No. 1, a Telugu actor and younger son of Mr. Mohan Babu; Defendant No. 2, unidentified individuals/media houses; Defendant No. 3, a social media platform; Defendant No. 4, a video-sharing platform; Defendant No. 5, a government entity regulating digital content; and Defendant Nos. 6 to 11, digital media publishers.

4. The dispute arose when Defendant No. 1, embroiled in a family conflict with his father and brother, made defamatory allegations against the Plaintiff via tweets dated December 9 and 13, 2024, accusing him of manipulation and fabrication without substantiating



the claims. These allegations were further disseminated by various digital media platforms and social media users, portraying the Plaintiff as a central figure in the family feud. Media articles and videos on platforms run by Defendants No. 4 and No. 6 to 11 amplified these defamatory claims, tarnishing the Plaintiff's reputation.

5. The Plaintiff contends that these baseless and libelous allegations have caused irreparable harm to his goodwill and reputation, misleading the public and affecting his professional standing. The Plaintiff seeks an *ex-parte ad interim* injunction to restrain the Defendants from further issuing, publishing, or disseminating any defamatory content against him.

6. Defendant No. 1, Manoj Manchu, posted two tweets on 09.12.2024, and 13.12.2024. In these tweets, he accused the Plaintiff of fabricating lies, manipulative statements, and financial irregularities. He further alleged that the Plaintiff fabricated a false narrative involving property demands and tarnished his reputation. These accusations were allegedly baseless and aimed to damage the Plaintiff's credibility. The content of the tweets has been reproduced as under:



Press Statement from Manoj Manchu Hyderabad, 9th December 2024

It deeply saddens me to address the malicious, false, and baseless allegations raised against me and my wife, Moulika, by my father, Dr. M. Mohan Babu. These claims are not only untrue but also part of a deliberate effort to defame me, silence my voice, and create unnecessary family strife.

Setting the Record Straight:

- False Allegations and Manipulated Narratives:** The claims made against me and my wife are completely fabricated. We are self-employed, independent, and have always lived with dignity. I have never relied on my family for financial support or sought any properties. To even suggest otherwise is absurd and malicious.
- Request for investigation of My Residence:** I have been residing in the family house for over a year now. Only at the insistence of my father and his close friends who urged me to move in because my mother was alone after my brother moved to Dubai for reasons best known to him, I moved in into the family house. At that point in time, my wife was pregnant. The allegation that I have moved in 4 months ago with malicious intentions is invented only for the purpose of falsely implicating me and my wife in this fabricated complaint.
- Including My 7-Month-Old Daughter in the Complaint:** Dragging an innocent 7-month-old baby into this dispute is appalling and inhumane. My children should never have been brought into this matter. This demonstrates the sheer malice behind these false accusations and raises serious questions about the intention behind the complaint. Women in India are considered to be the pillars of strength and support system of a household. It is unfortunate that motives have been attributed to my wife, who has always maintained the integrity of the family name and showed utmost respect towards the elders of the family.

I request the authorities to verify my mobile phone tower location since the past year to confirm that I have been consistently residing at this house during the period.

4. The Truth About the Nannies: The nannies employed at home are petrified due to the abusive language they have faced by my father. They live in constant fear because of the inappropriate behaviour within the household. With the consent of these women, I am prepared to provide all necessary evidence and witness statements to support these serious allegations. It is shocking that this critical issue has been ignored while false accusations have been fabricated against me. The allegation that we have left our daughter unattended is a convenient attempt to twist true facts. Our daughter was left with the nannies under the supervision of my mother. My wife and I had merely gone to get a medical evaluation of the injuries that I sustained.

5. The Mystery of the Missing CCTV Footage: What happened to the CCTV footage? Why did Vishnu's associates, Vijay Reddy and Kiran, remove the CCTV footage? This tampering raises serious concerns and begs the question: what are they trying to hide? I demand a thorough investigation into this matter to uncover the truth.

6. My Independence and Contributions: I have always been independent, building my career through my hard work, talent, and the blessings of my well-wishers. I spent over eight years working tirelessly for my father's and brother's firm, directing songs, fights, and music videos, often taking on roles beneath my standing as a commercial hero. I did all this without taking a single rupee, purely for the benefit of my family. Projects like *Atom* (*Bratshakti*) were sabotaged due to personal bias, while my brother Vishnu continued to benefit from unwavering family support.

7. Never Asked for Properties: Contrary to the baseless accusations, I have never asked for properties or inheritance. I challenge anyone to provide evidence to the contrary. My life has been built on my own merit, and I take pride in having raised my children with dignity without relying on family wealth.

8. Why Now? The Timing of These Allegations: The timing of this complaint is no coincidence. It surfaced after my public support for MSU students and local business who are being exploited by Vishnu and his associates Vinay Meneshwar. I have substantial evidence of financial irregularities and exploitation, which I am ready to present to the authorities that I have tagged above.

My humble request to serve justice through a transparent and righteous investigation.

@nctn Garu @naralokesh Garu
@PawanKalyan Garu @Anitha_TDP
@GauravAnumula Garu
@Bhatti_Mah Garu @TelanganaCMO
@TelanganaDGP Garu
x.com/vameshwaits/ja...

This post is unavailable.

11:29 PM · Dec 9, 2024 · 422.5K Views

4,156 Retweets 93 Quotes 9,538 Likes

437 Bookmarks

7. Defendant No. 6, GreatAndhra.com, published an article titled "*Who is Vinay whom Manchu Manoj is blaming*". The article alleged that the Plaintiff manipulated financial management within Mohan Babu's institutions, collaborated with Manchu Vishnu to sideline Manoj, and exploited Manoj's marriage issues for personal advantage. The article lacked substantiating evidence, and the publication date is not specified in the document. The content posted by Defendant No. 6 has been reproduced as under:



8. Defendant No. 7, IndiaGlitz, released an article on December 10, 2024, titled "*Manchu Manoj Mentions Vinay Maheshwari's Name In Police Complaint; Do you know him?*". This article alleged physical confrontations between Manoj and the Plaintiff, suggesting that Manoj assaulted the Plaintiff during a property dispute. It also speculated that the Plaintiff acted as an intermediary for communication within the Manchu family, further defaming his reputation. The content posted by Defendant No. 7 has been reproduced as under:



9. Defendant No. 2, unidentified individuals i.e. John Doe, are accused of publishing defamatory content on various platforms. These publications alleged financial mismanagement and manipulation by the Plaintiff, portraying him as a central figure in the Manchu family feud.

10. Defendant No. 4, Google/YouTube, hosted numerous videos defaming the Plaintiff. These videos portrayed the Plaintiff as a pivotal factor in the Manchu family conflict, making baseless allegations of financial mismanagement and manipulation. Video titles such as *"Who is Vinay Maheshwari? Manchu Family Controversy"* and *"Vinay Maheshwari who set fire to Manchu's house?"* further propagated defamatory narratives sourced from unidentified individuals. The content hosted by Defendant No. 4 has been reproduced as under:



11. The Plaintiff has alleged defamatory actions against Defendants Nos. 8 to 11, each accused of publishing or disseminating content that tarnished the Plaintiff's reputation by linking him to the Manchu family feud. Defendant No. 8, ABP Network Pvt. Ltd., is claimed to have circulated defamatory content that highlighted alleged financial mismanagement and manipulative actions by the Plaintiff, portraying him as a source of tension within the Manchu family. Although specific articles or videos are not detailed in the main suit, their inclusion in defamatory publications is referenced in the annexed



documents. The content posted by Defendant No. 8 has been reproduced hereunder:



12. Defendant No. 9, HT Media Limited, reportedly published defamatory material both in print and online. The accusations included claims of the Plaintiff's mismanagement of financial affairs at Mohan Babu University, fabricating false narratives to harm the reputation of Defendant No. 1, and speculating about his alleged role in creating discord among the family members. While publication dates and specifics are absent from the main suit, the Plaintiff asserts that such content was widely circulated, causing substantial harm to his reputation. The content posted by Defendant No. 9 has been reproduced hereunder:



HT **Times of India**



Mohan Babu and his son Manchu Manoj are reportedly feuding

Story continues below advertisement

Mohan Babu vs Manchu Manoj

NTV initially claimed on Sunday morning that Manoj first filed a complaint against Mohan at the Pahadi Shareef Police Station in Hyderabad, alleging that his father beat him up. He was also reportedly injured in the scuffle. Mohan consequently was also reported to have filed a complaint against Manoj, alleging that his son attacked him. The feud supposedly took place over property disputes.

As the reports gained traction, Mohan released a statement via his spokesperson that claimed, "There is no truth in the news that Mohan Babu and Manchu Manoj have filed complaints against each other. Media is broadcasting imaginary stories that Manoj turned

HT **Times of India**

Mohan Babu denies he and son Manchu Manoj filed police complaints against each other: 'Imaginary stories'

By HT Entertainment Desk | Edited by Neeishita Nyayapati

Dec 08, 2024 03:29 PM IST

This comes after reports claim that Manchu Manoj and Mohan Babu dialled 100 alleging each other of physical assault.

Story continues below advertisement

The rumoured feud between members of the Manchu family reportedly escalated on Sunday morning. Mohan Babu and his son Manchu Manoj reportedly both dialled 100 and alleged physical assault against one another, according to reports. But the former released a press statement, denying anything of the sort had happened. (Also Read: Manchu Manoj makes a comeback after 8 years with Teja Sajja-starrer Miral. Watch)

13. Onmanorama, Defendant No. 10, is accused of hosting or publishing articles that implicated the Plaintiff in the Manchu family disputes. These articles allegedly contained unfounded claims about the Plaintiff's professional conduct and his supposed involvement in the family feud. The content is said to have relied on unverified statements and speculative sources, further damaging the Plaintiff's credibility and reputation. The content posted by Defendant No. 10 has been reproduced hereunder:



Family feud of Mohan Babu explained

Onmanorama Staff
 PUBLISHED: DECEMBER 11, 2024 04:49 PM IST
 UPDATED: DECEMBER 12, 2024 01:29 PM IST
 2 MINUTE READ



Mohan Babu with his family. Photo: Facebook

The Mohan Babu-Manchu Manoj family dispute recently turned ugly after a journalist who was covering the high drama at Mohan Babu's residence in Hyderabad got injured. Though the actors were asked to appear before the Rachakonda Police Commissioner on Wednesday, the father-son duo skipped the questioning.

The family dispute began when actor and former MP Mohan Babu accused his younger son Manoj of arriving at his residence with his wife to take over the family property. However, Manoj claimed that he has been living with Mohan Babu for some months now and found himself locked outside the house one day by his father, who deployed bouncers to prevent him from entering the

14. Finally, Defendant No. 11, TeluguOne, is alleged to have produced or disseminated defamatory videos and articles. The content included speculative accusations of the Plaintiff acting as a manipulator and being the primary cause of discord within the Manchu family. It also alleged that the Plaintiff used his professional expertise to spin narratives against Defendant No. 1, significantly affecting the Plaintiff's reputation. These defamatory publications and videos were reportedly widely shared online, amplifying the damage caused. The content posted by Defendant No. 11 has been reproduced hereunder:



SUBMISSIONS BEFORE THE COURT

Submissions on Behalf of the Plaintiff

15. The learned senior counsel appearing on behalf of the applicant/plaintiff argues that the Plaintiff is a well-known professional with an illustrious career spanning over 27 years in the media and business sectors, during which he has held leadership roles in renowned organizations and earned numerous accolades. It is further stated that the reputation and goodwill were built through years of dedicated effort, are integral to his professional identity. However, Defendant No. 1, embroiled in a personal family dispute, has baselessly accused the Plaintiff of manipulation and deceit through defamatory tweets dated 09.12.2024, and 13.12.2024, posted on Defendant No. 3's platform. These tweets, devoid of any evidentiary support, allege



financial improprieties and personal interference by the Plaintiff in Defendant No. 1's family affairs, thereby maligning his reputation.

16. It is further stated by the learned senior counsel that following these defamatory statements, Defendant Nos. 6 to 11, digital media publishers, and Defendant No. 2, unidentified individuals, amplified the baseless accusations by publishing articles, videos, and social media posts portraying the Plaintiff as a key figure in the family feud of Defendant No. 1. This widespread circulation of libelous content, including speculative statements derived from unknown and unverified sources, has severely tarnished the Plaintiff's professional standing. The Plaintiff contends that he has no involvement in the internal disputes of the Manchu family and is being unfairly targeted to harm his credibility and reputation.

17. It is stated by the learned senior counsel for the applicant/plaintiff that the defamatory content has not only misled the public but has also caused irreparable damage to the Plaintiff's goodwill. The Plaintiff has been inundated with queries and speculation, exacerbating the harm caused by these baseless allegations. The rapid dissemination of such content necessitates urgent intervention by this Hon'ble Court to prevent further harm. The Plaintiff has established a prima facie case for the grant of an ex parte ad interim injunction, as the defamatory publications clearly target him and cause unwarranted damage.

18. The balance of convenience lies in favor of the Plaintiff, as he has no connection to the family disputes of Defendant No.1 and yet



continues to face significant reputational harm due to the defamatory content. Moreover, the Plaintiff argues that the loss of reputation and goodwill cannot be quantified and amounts to irreparable harm that cannot be compensated monetarily. In light of these factors, the Plaintiff seeks immediate relief from this Hon'ble Court, including an order restraining the Defendants from publishing or disseminating any defamatory content and the removal of the existing libelous material from all platforms.

Submissions on Behalf of the Defendants

19. Learned counsel for Defendant No. 4 (Google LLC), argues that it provides a platform for users to upload and share content but does not create, endorse, or verify the content uploaded by users. It is argued that Google's role is purely technical, serving as a hosting platform for videos and not exercising editorial control over the content. Holding Google liable for defamatory content it did not create or endorse would undermine the principles of freedom of expression and open discourse that are central to the functioning of platforms like YouTube. Google LLC has established policies for the removal of content that violates its terms, and if the Plaintiff provides a valid complaint, the company is willing to act in good faith to remove or restrict access to the offending content.

20. On the other hand, Defendant No. 9 (HT Media Ltd.) argues that the articles published by HT Media Ltd. were based on information available in the public domain and were the result of fair and legitimate journalistic activities aimed at informing the public



about a matter of public interest — namely, the family disputes within the Manchu family. HT Media Ltd. asserts that the publication of these articles was not driven by malicious intent and that the content was based on information from credible sources, which is a common practice in responsible journalism. Additionally, HT Media Ltd. emphasizes that it has provided the Plaintiff with ample opportunity to respond to the content, and it is open to publishing the Plaintiff's version of events to ensure balanced reporting.

ANALYSIS & FINDINGS

21. The primary issue for consideration before this Court is whether the Plaintiff is entitled to an ex parte ad interim injunction to restrain the Defendants from publishing, disseminating, or circulating defamatory content against the Plaintiff, given the allegations made by Defendant No.1 and the subsequent propagation of libelous material by other Defendants, which purportedly tarnish the Plaintiff's reputation and goodwill.

22. The Hon'ble Supreme Court, in ***Dalpat Kumar & Anr. v. Prahlad Singh & Ors.*** (1992) 1 SCC 719, had discussed the essentials for granting a temporary injunction under Order XXXIX of CPC. The relevant extract of the decision is set out below:

“4...Injunction is a judicial process by which a party is required to do or to refrain from doing any particular act. It is in the nature of preventive relief to a litigant to prevent future possible injury. In other words, the court in exercise of the power of granting ad interim injunction is to preserve the subject matter of the suit in the status quo for the time



being. It is settled law that the grant of injunction is a discretionary relief. The exercise thereof is subject to the court satisfying that (1) there is a serious disputed question to be tried in the suit and that an act, on the facts before the court, there is probability of his being entitled to the relief asked for by the plaintiff/defendant; (2) the court's interference is necessary to protect the party from the species of injury. In other words, irreparable injury or damage would ensue before the legal right would be established at trial; and (3) that the comparative hardship or mischief or inconvenience which is likely to occur from withholding the injunction will be greater than that would be likely to arise from granting it.

5. Therefore, the burden is on the plaintiff by evidence aliunde by affidavit or otherwise that there is "a prima facie case" in his favour which needs adjudication at the trial. The existence of the prima facie right and infringement of the enjoyment of his property or the right is a condition for the grant of temporary injunction. Prima facie case is not to be confused with prima facie title which has to be established, on evidence at the trial. Only prima facie case is a substantial question raised, bona fide, which needs investigation and a decision on merits. Satisfaction that there is a prima facie case by itself is not sufficient to grant injunction. The Court further has to satisfy that non-interference by the Court would result in "irreparable injury" to the party seeking relief and that there is no other remedy available to the party except one to grant injunction and he needs protection from the consequences of apprehended injury or dispossession. Irreparable injury, however, does not mean that there must be no physical possibility of repairing the injury, but means only that the injury must be a material one, namely one that cannot be adequately compensated by way of damages. The third condition also is that "the balance of convenience" must be in favour of granting injunction. The Court while granting or refusing to grant injunction should exercise sound judicial discretion to find the amount of substantial mischief or injury which is likely to be caused to the parties, if the injunction is refused and compare it with that it is likely to be caused to the other side if the injunction is granted. If on weighing competing possibilities or probabilities of likelihood of injury and if the Court



considers that pending the suit, the subject-matter should be maintained in status quo, an injunction would be issued. Thus the Court has to exercise its sound judicial discretion in granting or refusing the relief of ad interim injunction pending the suit.”

(Emphasis supplied)

23. The Hon’ble Apex Court had again in ***Seema Arshad Zaheer v. Municipal Corporation of Greater Mumbai***: (2006) 5 SCC 282 reiterated that the Court may grant a temporary injunction if the plaintiff establishes a prima facie case, demonstrates that the balance of convenience favors them, and shows the likelihood of irreparable injury if the injunction is denied. Additionally, the plaintiff must approach the court with clean hands, as the relief is equitable. The relevant portion of the judgment reads as under:

29. The discretion of the court is exercised to grant a temporary injunction only when the following requirements are made out by the plaintiff : (i) existence of a prima facie case as pleaded, necessitating protection of plaintiff's rights by issue of a temporary injunction; (ii) when the need for protection of plaintiff's rights is compared with or weighed against the need for protection of defendant's rights or likely infringement of defendant's rights, the balance of convenience tilting in favour of plaintiff; and (iii) clear possibility of irreparable injury being caused to plaintiff if the temporary injunction is not granted. In addition, temporary injunction being an equitable relief, the discretion to grant such relief will be exercised only when the plaintiff's conduct is free from blame and he approaches the court with clean hands.

24. Thus, the essentials of granting an injunction are: (1) existence of a prima *facie* case; (2) likelihood of irreparable injury that cannot be adequately compensated by damages; and (3) balance of convenience favoring the applicant.



25. An injunction serves as a preventive relief to preserve the subject matter of the suit in *status quo* and prevent potential future injury. It is to be noted that while seeking an order of injunction, the plaintiff has to demonstrate, through evidence, the existence of a *prima facie* case and an infraction of his rights requiring court's intervention. The Court has to then carefully weigh the competing possibilities of harm to determine whether maintaining *status quo* or granting temporary injunction is necessary, pending adjudication.

26. Insofar as the merits of the present application are concerned, this Court has to determine whether a *prima facie* case of defamation is made out by the Plaintiff, warranting an injunction to restrain the Defendants from publishing or disseminating defamatory content against the Plaintiff.

27. In the case of ***R. Rajagopal & Anr v. State of TN & Others:*** (1994) 6 SCC 632, the Hon'ble Supreme Court laid down the key principles to be followed while considering defamation in the context of the freedom of speech and expression guaranteed under Article 19(1)(a). The relevant portion of the judgment has been reproduced as under:

"26. We may now summarise the broad principles flowing from the above discussion:

(1) The right to privacy is implicit in the right to life and liberty guaranteed to the citizens of this country by Article 21. It is a "right to be let alone". A citizen has a right to safeguard the privacy of his own, his family, marriage, procreation, motherhood, child-bearing and education among other matters. None can publish anything concerning the above matters without his consent -- whether truthful or otherwise and whether laudatory or



critical. If he does so, he would be violating the right to privacy of the person concerned and would be liable in an action for damages. Position may, however, be different, if a person voluntarily thrusts himself into controversy or voluntarily invites or raises a controversy.

(2) The rule aforesaid is subject to the exception, that any publication concerning the aforesaid aspects becomes unobjectionable if such publication is based upon public records including court records. This is for the reason that once a matter becomes a matter of public record, the right to privacy no longer subsists and it becomes a legitimate subject for comment by press and media among others. We are, however, of the opinion that in the interests of decency [Article 19(2)] an exception must be carved out to this rule, viz., a female who is the victim of a sexual assault, kidnap, abduction or a like offence should not further be subjected to the indignity of her name and the incident being publicised in press/media.

(3) There is yet another exception to the rule in (1) above -- indeed, this is not an exception but an independent rule. In the case of public officials, it is obvious, right to privacy, or for that matter, the remedy of action for damages is simply not available with respect to their acts and conduct relevant to the discharge of their official duties. This is so even where the publication is based upon facts and statements which are not true, unless the official establishes that the publication was made (by the defendant) with reckless disregard for truth. In such a case, it would be enough for the defendant (member of the press or media) to prove that he acted after a reasonable verification of the facts; it is not necessary for him to prove that what he has written is true. Of course, where the publication is proved to be false and actuated by malice or personal animosity, the defendant would have no defence and would be liable for damages. It is equally obvious that in matters not relevant to the discharge of his duties, the public official enjoys the same protection as any other citizen, as explained in (1) and (2) above. It needs no reiteration that judiciary, which is protected by the



power to punish for contempt of court and Parliament and legislatures protected as their privileges are by Articles 105 and 104 respectively of the Constitution of India, represent exceptions to this rule. (4) So far as the Government, local authority and other organs and institutions exercising governmental power are concerned, they cannot maintain a suit for damages for defaming them.

(5) Rules 3 and 4 do not, however, mean that Official Secrets Act, 1923, or any similar enactment or provision having the force of law does not bind the press or media.

(6) There is no law empowering the State or its officials to prohibit, or to impose a prior restraint upon the press/media."

28. In ***Hanuman Beniwal and Others v. Vinay Mishra and Others***: 2024 SCC OnLine Del 2704, the Co-ordinate bench of this Court had observed that the public reputation of individuals, cannot be permitted to be sullied by baseless and defamatory statements made by others for trivial or malicious purposes. The relevant portion of the judgment reads as follows:

"25. At the outset, it may be noticed that Article 19 of the Constitution of India guarantees freedom of speech and expression to every citizen including the press which is referred as the fourth estate. The constitutional guarantee of freedom of speech and expression is both for the benefit of the press as well as of the public. It is generally believed that any attempt to stifle or suffocate this right is a death knell of democracy.

26. However, each citizen has a right to express his sentiments except to the extent permitted under Article 19(2) of the Constitution of India. It is manifest under Article 19(2) of the Constitution of India that the rights conferred by Article 19(1)(a) are subject to reasonable restrictions in the interest of the public or decency or



morality or in relation to defamation or incitement of an offence. This freedom needs to be exercised with circumspection and care and cannot be permitted to violate the rights of other citizens and to jeopardize their public interest. More so, in case of political functionaries, who spend their lifetime for building their image in the public, the same cannot be permitted to be tumbled by baseless, defamatory statements by any political entity/individual for petty gains.

27. Further, it cannot be ignored that with the advent of internet, the impact of the views formulated and disseminated on electronic media has a considerable impact on the viewers 2022 SCC OnLine Del 4882.

and followers and mould the public opinion on vital issues of political and national importance.

28. It is also well settled that reputation is an integral part of the dignity of each individual. As such, there is a need for balance between the freedom of speech and expression vis-à-vis the right to reputation. The defamation per se is also an offence and has been dealt in Sections 499 & 500 of IPC. Thus, the freedom of speech and expression under Article 19 of the Constitution of CS(OS) 623/2024 Page 13 of 17 India cannot be extended to intentional hurt to any other person's reputation, though imputation of truth which public good requires to be made or published, is considered as a valid defence against defamation.

29. It has been well recognized that in case of libel and slander, interim injunction may be granted in case (i) the statement is unarguably defamatory; (ii) there are no grounds for concluding that the statement may be true; (iii) there is no other defence which might succeed; and (iv) there is evidence of an intention to repeat or publish the defamatory statement."

29. Thus, to grant an interim injunction in a defamation case, the Courts must assess whether the statement is prima-facie defamatory, false, and lacks valid defenses such as truth, fair comment, or privilege. The intention to repeat or disseminate the statement is also



considered, as is the harm to the plaintiff's reputation, especially for public figures whose image holds significant public value.

30. The Courts must examine whether irreparable harm would result if the injunction is denied and whether the balance of convenience favors the plaintiff. In cases involving digital platforms, the widespread and lasting impact of defamatory statements is a crucial factor to be considered by the Court while granting or refusing ad-interim injunctions. The plaintiff must demonstrate a *prima-facie* case by proving the statements or content made, published, aired, tweeted, or posted is defamatory, which was published had been viewed by a third party. Each case has to be evaluated on the basis of its own facts, circumstances and content posted, published or aired. At the same time, the Courts have to remain vigilant that the order so passed, are not infringing a person's right of freedom of speech, thus balancing fairness, while at the same time striking a balance between freedom of speech and the right to reputation of a person.

31. Insofar as the merits of the present case are concerned, the Defendant No.1 (Manchu Manoj) has allegedly through tweets published on 09.12.2024, and 13.12.2024, accused the Plaintiff of fabricating lies, engaging in manipulative behavior, and targeting his family members to further an alleged agenda. These tweets, published on the platform of Defendant No.3, specifically claim that the Plaintiff was involved in financial irregularities and exploitation at Mohan Babu University. The tweets further allege that the Plaintiff played a divisive role in the family feud between Defendant No.1 and other



members of the Manchu family and used media expertise to fabricate narratives against Defendant No.1. These statements, made without any substantiation, are prima facie defamatory, as they allege unethical and illegal behavior, harming the Plaintiff's professional reputation and personal standing. The allegations of malicious intent and interference in family matters portray the Plaintiff in a negative light, leading to a significant loss of goodwill and public trust.

32. Defendant No. 2, comprising anonymous individuals, has circulated numerous defamatory videos on YouTube, a platform hosted by Defendant No.4 (Google). These videos carry sensationalized titles such as "Who is Vinay Maheshwari? Manchu Family Controversy" and "Vinay Maheshwari Who Set Fire to Manchu's House?" The content accuses the Plaintiff of financial mismanagement, manipulative actions, and instigating a family feud without any factual evidence. Such material, widely disseminated on a global platform like YouTube, amplifies the defamatory narrative against the Plaintiff.

33. Insofar as Defendant No. 2 and 4 are concerned, the learned counsel appearing on their behalf argued that the content uploaded on Youtube is neither in Hindi nor in English but is in Telugu, and neither the translation thereof nor the names of the persons who have uploaded the content has been furnished by the plaintiff and, therefore, the relief, at this stage, cannot be granted.

34. This Court agrees with the said contention, and is further of the opinion that to appreciate the case of the plaintiff regarding the



content uploaded on the Youtube as enlisted in the plaint is defamatory in nature, it would be essential for the content to be understood for the purpose of appreciation by this Court. Since admittedly, neither the translation thereof nor the names of the persons who have uploaded the content has been furnished by the plaintiff, it is not possible to pass any order to grant the relief as prayed for *qua* Defendant No. 2 and 4. Accordingly, during the course of arguments, the learned senior counsel for the plaintiff conceded to this position and stated that, at this stage, till the plaintiff files the documents furnishing the details of the persons who have uploaded the alleged defamatory content and the translation thereof, the plaintiff will not press his prayer *qua* Defendant No. 2 and 4.

35. Defendant No. 6 (GreatAndhra.com) published an article titled "Who is Vinay whom Manchu Manoj is blaming," which included various defamatory allegations against the Plaintiff. The article claimed that the Plaintiff had taken control of the financial management of Mohan Babu's educational institutions and business ventures, strategically sidelining Manchu Manoj and other family members, including Manchu Lakshmi. It further alleged that the Plaintiff manipulated Mohan Babu's admiration to execute divisive strategies and caused disruptions in Manoj's marital life. These assertions, relying on anonymous sources without factual corroboration, portray the Plaintiff as manipulative and divisive, harming his professional credibility and personal integrity.



36. Defendant No.7 (IndiaGlitz) published an article on December 10, 2024, titled "Manchu Manoj Mentions Vinay Maheshwari's Name In Police Complaint; Do you know him?" This article alleged that the Plaintiff acted as an intermediary between Manchu Vishnu and Manchu Manoj and was involved in physical confrontations and disputes over property. It also accused the Plaintiff of financial irregularities at Mohan Babu University. These defamatory statements, based on speculative and unverified sources, falsely link the Plaintiff to violence and unethical practices. By portraying the Plaintiff as a central figure in the family conflict and associating him with financial misconduct, the article damages his reputation and professional credibility, causing public mistrust and personal humiliation.

37. The article published by Defendant No. 8 *prima facie* appears to be defamatory as it speculates without evidence about Vinay Maheshwari's involvement in the family conflict between Mohan Babu and his sons, suggesting he is a key figure in the discord despite the lack of clear proof. It raises unsubstantiated allegations of financial irregularities and claims Maheshwari was involved in a violent altercation with Manchu Manoj, which could severely damage his reputation. The article implies that Maheshwari's actions are central to the conflict, presenting him in a negative light without proper context or balance. Such content, based on speculation and innuendo, has the potential to harm Maheshwari's personal and professional credibility, making it defamatory.



38. The above acts by the Defendants collectively *prima facie* create a sustained and defamatory narrative against the Plaintiff. These allegations, allegedly unsupported by any evidence, have *prima facie* potential of causing irreparable harm to the Plaintiff's professional and personal reputation. The claims made by the Defendants not only have the effect of tarnishing the Plaintiff's credibility as a respectable member of society but may further encourage the other individuals and media platforms to spread the defamatory content further. It may lead to widespread public dissemination and lasting damage to his image. Consequently, the Plaintiff has a strong *prima facie* case for the grant of an ad interim *ex-parte* injunction to prevent further harm to his reputation.

39. Insofar as Defendant No. 9 is concerned, the learned counsel for the Defendant no. 9 (Hindustan Times Media) stated that the contents/articles which are being termed as defamatory by the plaintiff refer to the content as 'alleged', 'according to reports', 'according to sources'. He, therefore, argued that the content cannot be termed as defamatory as it was not a categorical assertion or information which was being published by Defendant no. 9.

40. The learned counsel for the plaintiff, on the other hand, states that even by using such words/ terminology the Defendant no. 9, cannot get away with publishing such defamatory content, since the effect of such publication on the general masses is still the same and the least precaution as a prudent institutional or publication house, the



defendant no. 9 would have taken is that, it could have contacted the plaintiff to know his side of story and to have published it.

41. The learned counsel for Defendant No. 9 countered this argument, stating that the article itself mentions that the plaintiff and the other parties were not available for their comments. However, during the course of arguments, both the parties were *ad idem* that the Defendant No. 9 would contact the Plaintiff and would publish his side of version or clarification without prejudice to their rights or contentions. Given the said undertaking by the learned counsel for the Defendant No. 9, the learned senior counsel for the Plaintiff submitted that his prayer *qua* Defendant No. 9, as far as interim relief *qua* it is concerned, will stand satisfied.

42. In view of the aforesaid, an ad interim *ex-parte* injunction is passed against the Defendant Nos. 1, 3, 6, 7, 8, 10 and 11 in the following terms:

- (i) Defendant No. 1, or anyone acting on its behalf, is temporarily restrained from making, posting, tweeting, reposting, sharing, or sending any defamatory statements concerning the Plaintiff and his family on any social media platform, messenger service, or public forum.
- (ii) Defendant No. 1 is also directed to remove the following posts within a period of one week from date:

- <https://x.com/heromanoj1/status/1867481351194132626?s=46&t=gsqfOnhblK8EqugX6Wq8uA>



- <https://x.com/heromanoj1/status/1866180910472974706?s=12&t=IDcU56exdrG0hPJy8T2vUA>.

(iii) In addition to aforesaid, Defendant No. 3 is also directed to ensure that all *prima facie* defamatory tweets posted by Defendant No.1 are deleted/removed within a period of one week from date, to prevent further damage to the Plaintiff's reputation.

(iv) Defendant No. 6 is directed to remove the *prima facie* defamatory articles or statements concerning the Plaintiff and his family, from its website. Defendant No. 6 is directed to remove the following posts within a period of one week from date:

- <https://www.greatandhra.com/movies/gossip/who-is-vinay-whom-manchu-manoj-is-blaming-142689>

(v) Defendant No. 7 (IndiaGlitz) is hereby directed to remove the article titled "Manchu Manoj Mentions Vinay Maheshwari's Name In Police Complaint; Do you know him?" published on December 10, 2024, along with any related defamatory content, from all platforms, websites, and social media outlets under its control or influence within one week from date. This includes ensuring that any copies of the article are taken down, and no further dissemination of the defamatory statements occurs. Defendant No. 7 is directed to remove the following posts within a period of one week from date:



- <https://www.indiaglitz.com/manchu-manoj-mentions-vinay-maheshwaris-name-in-police-complaint-do-you-know-him-telugu-news-360633>

(vi) Defendant No. 8 is hereby directed to immediately remove the *prima facie* defamatory article titled “Mohan Babu vs. Manoj Manchu: Who is Vinay Maheshwari?” from its online platforms, websites, and any other media outlets where it has been published, and ensure that it is not accessible through any archives or databases maintained by the Defendant, as the content contains *prima facie* unverified and defamatory statements that can harm the reputation of Vinay Maheshwari. Defendant No. 8 is also directed to remove the following posts within a period of one week from date:

- <https://telugu.abplive.com/entertainment/cinema/who-is-vinay-maheshwari-mohan-babu-university-executive-director-plays-key-role-in-manchu-manoj-vishnu-latest-issue-190009>

(vii) Defendant No. 10, Onmanorama, is directed to remove all articles and content implicating the Plaintiff in the Manchu family disputes, which *prima facie* contain speculative, unfounded, and defamatory statements.

(viii) In light of the defamatory nature of the videos and articles published by Defendant No. 11, TeluguOne, which *prima facie* wrongfully accuse the Plaintiff of manipulation and causing discord within the Manchu family, it is directed that all such content be immediately removed from all platforms. Defendant



No. 11 is directed to remove the following posts within a period of one week from date:

- <https://www.teluguone.com/tmdb/>

43. Compliance of Order XXXIX Rule 3 of CPC will be made within two weeks from date. An affidavit of compliance will be filed within three days thereafter.

44. The observations made herein are only *prima facie* for the consideration of ad interim *ex-parte* injunction.

45. Issue notice of this application to the defendants, who may file their reply to the same within a period of four weeks. Rejoinder, if any, be filed within a period of two weeks thereafter.

46. List before the learned Joint Registrar (Judicial) for completion of pleadings on 17.02.2025.

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47. Issue summons of the suit, and notice of the application to the defendants through all permissible modes, including electronic mode and *dasti* as well.

48. The summons to the defendants shall indicate that the written statement(s) to the plaint shall be positively filed within a period of 30 days from the date of receipt of summons. Along with the written statement(s), the defendants shall also file the affidavit(s) of admission/denial, without which the written statement(s) shall not be taken on record.



49. Liberty is given to the plaintiff to file the replication within a period of 15 days of the receipt of the written statement(s). Along with replication, if any, filed by the plaintiff, the affidavit(s) of admission/denial of documents of the defendant(s) shall be filed by the plaintiff.

50. List before the learned Joint Registrar (Judicial) for completion of pleadings on 17.02.2025.

51. The judgment be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

DECEMBER 24, 2024/zp