

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.**

**Friday, the 31st day of July 2026 / 9th Sravana, 1948
WP(C) NO. 21126 OF 2026**

PETITIONER:

**N. MADHAVAN KUTTY, AGED 76 YEARS S/O. K.A.BALAKRISHNA MENON,
RESIDING AT "SHREE", SCRA4, SOORAJ ENCLAVE, EDAPPALLY RAGHAVAN PILLA
ROAD, EDAPPALLY, KOCHI, ERNAKULAM KERALA, PIN - 682024**

RESPONDENTS:

- 1. UNION OF INDIA, REPRESENTED BY SECRETARY MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY ELECTRONICS NIKETAN, 6, CGO COMPLEX, LODHI ROAD, NEW DELHI , PIN - 110003**
- 2. SECRETARY, MINISTRY OF INFORMATION AND BROADCASTING, GOVERNMENT OF INDIA, 6TH FLOOR, SHASTRI BHAWAN, NEW DELHI, PIN - 110001**
- 3. DEPUTY SECRETARY, DIGITAL MEDIA & IP, MINISTRY OF INFORMATION & BROADCASTING, ROOM NO.760, A WING SHASTRI BHAWAN, NEW DELHI, PIN - 110001**
- 4. ASSISTANT DIRECTOR, MINISTRY OF INFORMATION & BROADCASTING, ROOM NO.760, A WING SHASTRI BHAWAN, NEW DELHI, PIN - 110001**
- 5. SECRETARY, DEPARTMENT OF HOME, SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001**
- 6. DIRECTOR GENERAL OF POLICE VELLAYAMBALAM, VAZHUTHACAUD RD, ALTHARA JUNCTION, NANDAVANAM, AZHUTHACAUD, THIRUVANANTHAPURAM, KERALA , PIN - 695010**
- 7. META INDIA LTD., REPRESENTED BY MANAGING DIRECTOR, HYDERABAD (OPERATIONS/IIQ) BUILDING NO. 20, RAHEJA MINDSPACE, MADHAPUR, HITEC CITY, HYDERABAD, TELANGANA, PIN - 500081**
- 8. MANAGING DIRECTOR META INDIA LTD., HYDERABAD (OPERATIONS/HQ) BUILDING NO. 20, RAHEJA MINDSPACE, MADHAPUR, HITEC CITY, HYDERABAD, TELANGANA , PIN - 500081**
- 9. GRIEVANCE OFFICER, META PLATFORMS, INC, UNIT 28 AND 29 THE EXECUTIVE CENTRE, LEVEL 18, DLF CYBER CITY, BUILDING NO. 5, TOWER A, PHASE III, GURGAON , INDIA, PIN - 122002**

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 give an interim direction to the respondents to take steps to immediately ensure the restoration of the Meta/ Facebook account of the petitioner (www.facebook.com/madhavankutty.nandeilath/) provisionally and subject to the result of this writ petition.

This petition again coming on for orders upon perusing the petition and the affidavit filed in support of WP(C) and this Court's order dated 24/07/2026 and upon hearing the arguments of M/S KALEESWARAM RAJ, THULASI K. RAJ, CHINNU MARIA ANTONY, TARUN PHILIP Advocates for the petitioners, M/S. AMAL PARTHASARADHY, CENTRAL GOVERNMENT COUNSEL for the

R1 to R4 and of GOVERNMENT PLEADER for R5 and R6, the court passed the following:



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FRIDAY, THE 31ST DAY OF JULY 2026WP(C) No. 21126 of 2026

N. MADHAVAN KUTTY,

VS

UNION OF INDIA, & OTHERS

ADVS FOR PETITIONER/S:SHRI.KALEESWARAM RAJ, KUM.THULASI K. RAJ, SMT.CHINNU MARIA
ANTONY, SHRI.TARUN PHILIP**ADVS FOR RESPONDENT/S:**

SHRI.AMAL PARTHASARADHY, CGC



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ZIYAD RAHMAN A.A., J.-----
W.P.(C).No.21126 of 2026
-----Dated this the 31st day of July, 2026**ORDER**

This writ petition is submitted by the petitioner being aggrieved by the blocking of the Meta/Facebook account of the petitioner with the URL www.facebook.com/madhavankutty.nandeilath/.

2. It is reported that the blocking was made by the Facebook on account of an instruction received in this regard from the Kerala Police. Today when the matter came up for consideration, the learned Government Pleader upon instruction submitted that, the instruction to block the account of the petitioner was issued in view of certain contents uploaded by the petitioner. Details of the said contents were also made available before this Court. However, on going through the same and the relevant statutory provisions, I am of the view that, if there is any objectionable content that affects the security of the State or against the public interest, nothing would preclude the respondent to issue instruction to block such content. However, going by the documents produced before this Court, it is

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seen that, only in respect of some of the contents, the entire account itself is blocked. Therefore, I am *prima facie* of the view that the respondents have exceeded their powers. Therefore, as an interim measure, the petitioner can be permitted to operate the account referred to above. While permitting the petitioner to operate the account, it is directed that the objectionable content shall be removed. For this purpose, the competent officer under the 6th respondent shall furnish to the 9th respondent, the particulars of the objectionable post(s), together with the corresponding URL(s), so as to enable the 9th respondent to identify and remove the same, while permitting the continued operation of the petitioner's account.

3. The learned counsel for the 9th respondent submitted that, the petitioner's account is blocked since November, 2025 and as per Rule 3(g) of the Information Technology (Guidelines for Intermediaries and Digital Media Ethics Code Rules), 2021, the intermediary is bound to retain the records relating to the online content only for a period of six months. In this case, six months is already over and hence the data in the said account may not be available with the intermediary.

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4. In response to the same, the learned counsel for the petitioner submits that the access is blocked only in India and the same is available outside India and therefore, all the data would be available in the said account. This fact is not disputed by the learned Government Pleader as well.

Therefore, it is ordered that, as mentioned above, the petitioner shall be allowed to operate his account with the URL mentioned above and necessary steps shall be taken by the 9th respondent to enable the same forthwith. With regard to the objectionable online contents, if the 9th respondent has already furnished the necessary information in this regard, the same shall not be allowed to be displayed online for the time being. It is further directed that, if any competent officer under the 6th respondent identifies and communicates to the 9th respondent any objectionable content, together with the relevant particulars, including the URL thereof, the 9th respondent shall, for the time being, remove or disable access to such content, subject to further orders, to be passed by this court, without affecting the operation of the petitioner's account.

Sd/-
ZIYAD RAHMAN A.A.
JUDGE

DG/31.7.26