

KABC010206922023



In the Court of the XXIV Additional City Civil and
Sessions Judge (CCH-6) at Bengaluru

Dated this the 6th day of August, 2025.

Present:

Smt Renuka.D.Raikar, B.Sc. L.L.B, (Spl),
XXIV Addl. City Civil & Sessions Judge (CCH-6),
Bengaluru.

O.S.No. 4944/ 2023

Plaintiff : Sri.K.R.Chandrashekar
@ Kodihalli Chandrashekar,
S/o Rangegowda,
Aged about 65 years,
No.4/102, Lehnert,
10th 'A' Main, 15th Cross,
Malleshwaram,
Bangalore-560 055

(By Sri. S.Jagan Babu, Advocate)

-Versus -

Defendants :1. M/s POWER SMART MEDIA (OPC)
PVT LTD.,
No.7, 11th Main, Mattikere Main road,
1st Stage, Gokula Extension,
Yeshwanthapura,
Bengaluru-560 054
Rept by Rakesh Sanjeev Shetty,

2. Sri Rakesh Sanjeeva Shetty,
S/o Sri Sanjeev Shetty,
Aged about 45 years,
Additional Director/ Managing Director
and Editor in Chief
Power TV,
M/s. Power Smart Media (OPC) Pvt.
Pvt Ltd., No.7, 11th Main,
Mattikere Main road,
1st Stage, Gokula Extension,
Yeshwanthapura, Bengaluru-560 054
3. Sri Dabbegatta Gowda Madhu
Lakshmana
S/o Lakshmana Gowda,
Aged about 40 years,
Power TV,
M/s. Power Smart Media (OPC)
Pvt Ltd.,
No.7, 11th Main, Mattikere Main road,
1st Stage, Gokula Extension,
Yeshwanthapura, Bengaluru-560 054
4. Sri Chandan Sharma,
S/o Venugopal Subbaiah,
Aged about 35 years,
Chief Executive Editor,
Power TV,
M/s. Power Smart Media (OPC)
Pvt Ltd.,
No.7, 11th Main, Matthikere Main road,
1st Stage, Gokula Extension,
Yeshwanthapura, Bengaluru-560 054

(Placed Exparte)

Date of Institution of the Suit : 03.08.2023
Nature of the Suit : For Permanent Injunction
Date of commencement of recording of evidence : 11.09.2024
Date on which Judgment was pronounced : 06.08.2025
Duration : Year/s Month/s Day/s
02 - 03

JUDGMENT

Present suit is filed by the plaintiff against the defendants for the relief of Permanent Injunction.

2. The factual matrix in the nutshell is as under:-

It is averred that, the plaintiff being a noted Farmer/ Kisan Activist right from his younger days who traveled length and breadth of Karnataka to organize Kisan, Agricultural Workers, Farmers for representing their grievances before the Government Authorities to enact Laws, to get fair price for their yields and to get manure, fertilizers, electricity and other agricultural implements at fair price,

enabling them to produce more food grains to the needs of marginalized, Vulnerable and other section of people of Karnataka in particular and elsewhere in the Country. Due to his unblemished activism he is holding the position as 'Coordinator of All India Kisan Sangarsh Coordinating Committee', besides leading a movement of KSRTC and BMTC Staff and workers as its working President.

3. It is further averred that, Power TV News Channel is the brand name of a Satellite Kannada Television News Channel licensed to an entity called as "Power Smart Media' a Private Company duly incorporated under the provisions of Companies Act, 1956. Defendants Nos.1 to 4 are members of editorial and reporting team at Power TV News and are responsible in respect of program telecasted in said Power TV News Channel telecasted on 24.07.2023 at 10.00 a.m., in the name of 'Gosumbe' which is continuously telecasting the clipping containing false news in respect of plaintiff repeatedly.

4. It is further averred that, defendants Nos.1 to 4 knowing that the contents telecasted/ telecasting clippings against plaintiff in the debate are false, frivolous, manufactured and fabricated solely to harm the reputation of plaintiff in the domain of farmers, workers,

general public and people of Karnataka. In said debate, defendants Nos.2 ad 4 unnecessarily drawn the name of plaintiff which is irrelevant during that circumstances intentionally to harm the reputation of plaintiff which is transcribed as hereunder:

1. ಅಹಂ ಅಬಾಹಂ ಹೇ ನೌಟಂಕಿ

THE TRANSLATED VERSION IS AS FOLLOWS:-

“Aaham Abraham Hey Noutanki”.

2. I am proud, ಅವನು ಕೊಂಚಂ ನೀಚಂ ಅಂತ ಪ್ರೋಗ್ರಾಮ್ ಮಾಡಿದ್ದೀವಿ ಅವನು ಕೋಡಿಹಳ್ಳಿ ಚಂದ್ರಶೇಖರ್, ಇವನೊಬ್ಬ ನೀಚ. ಕರ್ನಾಟಕವನ್ನು ಹಾಳು ಮಾಡಿದ್ದರಲ್ಲಿ, ಕರ್ನಾಟಕ ರೈತರ ಹೆಸರಿನಲ್ಲಿ ಸೋಗಲಾಡಿ ಮಾಡಿಬಿಟ್ಟು ಕೋಟಾನಗಟ್ಟಲೆ ವಸೂಲು ಮಾಡಿದವನು ಅವನು ಚಂದ್ರಶೇಖರ್, ಕೋಡಿಹಳ್ಳಿ ಚಂದ್ರಶೇಖರ್ ಇವನು ಮಹಾನ್ ನೀಚ, ಇವನು ಹಾಳು ಮಾಡಿದ ಫ್ಯಾಮಿಲಿಗಳು ಎಷ್ಟೋ, ಇವನು ಹಾಳು ಮಾಡಿದ ಮನೆತನಗಳು ಎಷ್ಟೋ , ಅಧಿಕಾರಿಗಳು ಎಷ್ಟೋ ಇರಬಹುದು , ಇವನ ಬ್ಲಾಕ್ ಮೈ ಲ್ಗೆ ಹೆದರಿಕೊಂಡು ಕೆಲಸ ಮಾಡಿಕೊಟ್ಟವರು ಎಷ್ಟೋ .

THE TRANSLATED VERSION IS AS FOLLOWS:

I am proud to organize program in title “Koncham Necham” program he Kodihalli Chandrashekar is one of the fraud, who spoiled Karnataka, using name of farmers of Karnataka by impersonating (sogaladi) collected crores of rupees he is Chandrashekar, Kodihalli Chandrashekar he is big fraud, he spoiled many families, he ruined many families and officials, fearing for his block- mail officials do his work.

3. ಈ 3 ಗಂಟೆಯ ಸಂಪೂರ್ಣ ನಲ್ಲಿ ವಿರುದ್ಧ, 2 ಗಂಟೆ 13 ನಿಮಿಷನಿಂದ ಶುರು ಮಾಡಿ 2 ಗಂಟೆ 14 ನಿಮಿಷ ವರೆವಿಗೂ ವಿರುದ್ಧ ಅವಹೇಳನಕಾರಿಯಾಗಿ ಮಾತನಾಡಿರತ್ತಾರೆ.

THE TRANSLATED VERSION IS AS FOLLOWS:

“ In this over all 3 hours clipping defamatory false news propogated/ propogating from 2 hours 13 minutes to 2 hours 14 minutes”.

5. It is further averred that, the defendants being a television channel operating agency telecasting allied programs in Karnataka are supposed to telecast only the reliable news and are not supposed to telecast any false news that would tarnish the image of any person who are in public life. The false news telecasted by the defendants as aforesaid are all intended to spoil the reputation and good name earned by plaintiff for decades. Apart from telecasting as aforesaid, the defendants repeatedly telecasted all those false news clippings against plaintiff's interest without any proof, base or whatsoever. The defendants being TV Channel which is an electronic media having large viewership in Karnataka, the telecast of clipping programs to project plaintiff in bad light not only seriously affected the prospectus of plaintiff, but also inflicted his entire family in

embarrassment. In addition to this clipping and telecasting of false news against plaintiff, the social life of plaintiff caused bias and prejudice in the minds of public.

6. It is further averred that, said false news published by defendants caused immense hardship and mental agony to plaintiff for his walk of life, which had affected plaintiff, for his struggle in demand of justice in favour of weak and needy in the Society, as everyone view plaintiff with a pirated eye. Though the debate was started to discuss in respect of some third person, in the course of debate, the defendants to defame plaintiff had intentionally arrayed the name of plaintiff, to tarnish the growing image of plaintiff not only in Bangalore as well as in Karnataka, but also throughout the Country. The defendants even on earlier occasion published false article/ news against plaintiff, in their news channel intentionally, for which plaintiff presented complaint before 24th Addl.CMM Court, Bangalore against defendants for misuse of their media and defaming the plaintiff. The defendants, to inflict pressure on plaintiff to withdraw cases filed against them had again dragged his name in the debate

which is unwarranted and propagated false messages/ news making use of their media for wrongful purpose.

7. It is further averred that, the act of defendants are ill-motivated without any substances. Such acts of defendants are against the laws applicable for broadcasting, guidelines and policies. Due to the above false news circulated in the defendant No.1 News Channel, the defendants are trying to disturb peace and harmony in the Society. The plaintiff approached Malleshwaram Police with complaint against the false news telecasted by defendants Nos.1 to 4, but the Police Officials advised him to approach the Civil Court for proper remedy.

8. It is further averred that, the Cause of Action for the suit arose on 24.07.2023 at 10.00 a.m., and all other subsequent dates, when the defendant repeatedly published/ broadcasted / telecasted said news in Power TV News Channel continuously till today. Hence, prayed for decreeing the suit by granting Perpetual Injunction, restraining the defendants, their agents, representatives or anyone on their behalf from telecasting, broadcasting, publishing or circulating the Debate dtd. 24.07.2023 in the name of 'Aaham

Abraham Hey Noutanki” Program telecasted in ‘Gosumbe’ in any manner whatsoever and for such other reliefs in the interest of justice and equity.

9. In spite of service of suit summons, the defendants have not appeared before the Court, hence they have been placed as Ex-parte vide order dt. 21.02.2024.

10. In view of the above averments, the following points would arise for my consideration:-

1. Whether plaintiff proves the defendants have telecasted, broadcasted and circulated the false, frivolous and fabricated clippings against him to cause harm to the reputation of plaintiff in the domain of framers, workers and general public of Karnataka ?

2. Whether plaintiff further proves the act of defendants has tarnished his image in the Society?

3. Whether plaintiff is entitled for relief of permanent injunction as sought for?

4. What order or Decree?

11. In order to prove plaintiff's case, he himself got examined as PW.1 and got marked 6 documents as Exs.P.1 to Ex.P.6. Since defendants are placed ex-parte, there is no cross-examination of PW.1 nor there is any oral or documentary evidence on their behalf.

12. Heard the arguments and perused the records.

13. My findings on the above points are as under:-

Point No.1 : In the **Affirmative**

Point No.2 : In the **Affirmative**

Point No.3 : In the **Affirmative**

Point No.4 : In the **Affirmative**

Point No.5 : As per final order for the following:

REASONS

Point Nos.1 to 4 :- All these points are inter-related with each other, they are being taken up together for discussion at a stretch in order to avoid repetitive discussion of facts and evidence.

14. Here the present suit is filed by the plaintiff against the defendants for the relief of permanent injunction restraining them or anyone on their from telecasting, broadcasting, publishing or circulating the debate dtd. 24.07.203. It is the case of plaintiff that, he is noted Framer/Kisan Activist organizing Kisans, Agricultural Workers, Farmers for representing their grievances before the

Government and he is holding the position of Coordinator of All India Kisan Sangarsh Coordinating Committee, besides leading a movement of KSRTC and BRTC Staff and workers as its working President.

15. It is further the case of plaintiff that, defendants Nos.1 to 4 are members of editorial and reporting team at Power TV news, they are responsible in respect of program telecasted in said Power TV News Channel telecasted on 24.07.2023 in the name of 'Gosumbe' which is continuously telecasted the clipping containing false news in respect of plaintiff repeatedly.

16. It is further the case of plaintiff that, though defendants Nos.1 to 4 knowing that the contents of debate are false, frivolous, manufactured and fabricated, solely to harm the reputation of plaintiff in the domain of farmers/ Kisans, workers, general public and people of Karnataka have published said news causing immense hardship and mental agony to plaintiff for his walk of life time, which had affected in his struggle for demand of justice in favour of weak and needy in the Society. In earlier occasion the present plaintiff filed complaint before 24th Addl.C.M.M, Court Bangalore, against

defendants for misuse of their media and defaming the plaintiff. It is further case of plaintiff that, the act of defendants are ill-motivated without any substances. Such acts of defendants are against the laws applicable for broadcasting, guidelines and policies. Hence, the plaintiff is constrained to file this suit for appropriate relief.

17. In support of his case, the plaintiff himself stepped into the witness box and filed his examination in chief affidavit in lieu of his evidence and reiterated the plaint averments and produced 6 documents as per Exs.P.1 to Ex.P.6. Ex.P.1 is Pen drive which contains discussions in the Debate of Power TV Channel, Ex.P2 to Ex.P.5 are photographs of said programme and Ex.P.6 is Certificate U/s.65(B) of Indian Evidence Act.

18. Here in the instant case, in spite of service of suit summons the defendants did not appear before the Court to contest the claim of the plaintiff and they have been placed as *exparte*. Hence, the oral and documentary evidence adduced on behalf of plaintiff remained undisputed, uncontroverted and unchallenged. Hence, due to silence on part of defendants plaintiff has succeeded to prove his claim.

19. Moreover, from the recordings in the Pen Drive and the photographs it is clear that without going into the details as to whether the alleged news is true or false, the defendants have circulated, published and telecasted the same causing harm to the reputation and image of the plaintiff in the Society which has effected his Social Status and also caused inconvenience and mental agony to him. If the defendants further published such false news, same will continue to effect the reputation and image of the plaintiff in the Society and will cause mental agony to the plaintiff. Hence, it is necessary to restrain the defendants from committing such acts in future. Hence, plaintiff is entitled for the relief of Permanent Injunction as prayed by him. Accordingly, **points Nos.1 to 3 are answered in the Affirmative.**

Point No.5:

20. In view of my findings on Point Nos. 1 to 4, I proceed to pass the following:

ORDER

Suit filed by the plaintiff is hereby decreed.

Defendants, their agents, representatives or anyone on their behalf are hereby Permanently restrained from telecasting or broadcasting or publishing or circulating the debate dtd. 24.07.2023 in the name of 'Aaham Abraham Hey Noutanki" Program telecasted in 'Gosumbe' in any manner or whatsoever.

Parties shall bear their own costs.

Draw decree accordingly.

(Dictated to the Stenographer Grade-I, on-line, printout taken thereof is corrected, signed and pronounced by me in Open Court on this the 6th day of August, 2025)

(Renuka D.Raikar)
XXIV Additional City Civil and
Sessions Judge, Bengaluru.

ANNEXURE

1) List of witness examined on behalf of plaintiff:

Pw.1 : Sri. K.R.Chandrashekar @
Kodehalli Chandrashekar.

2) List of documents marked on behalf of plaintiff:

Ex.P.1 : Pen drive

Ex.P.2
to Ex.P.5 : Photographs
Ex.P.6 : Certificate U/s.65(B) of Indian
Evidence Act

3) List of witness examined on behalf of defendant:

NIL

4) List of documents marked on behalf of defendant:

NIL

(Renuka D.Raikar)
XXIV Additional City Civil and
Sessions Judge, Bengaluru.

