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WP No. 20286 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-05-2026

CORAM

THE HON'BLE MR JUSTICE G. R. SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No. 20286 of 2026 AND

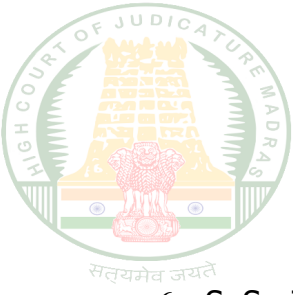
WMP NO. 21743 OF 2026

R.S.Tamilvendan,
No.18-S3,varatharajpet Road,
Kodampakkam,
Chennai.

..Petitioner

Vs

1. The Secretary to the State of Tamil Nadu,
Home Department,
The Secretariat, Fort of St.George,
Chennai -600009.
2. The Secretary to the State of Tamil Nadu,
Information and public relationship department,
The Secretariat, Fort of St. George,
Chennai 600009.
3. The Chief executive officer,
Central Board of Film Certification,
No-35, Haddows Road,
Shastri bhavan Annex,
Chennai 600034.
4. Dream Warrior Picture,
Flat No.1, Ganapath Apartment,
17/8, Krishna Street,
T. Nagar, Chennai 600017.
5. R.J. Balaji, Director cum actor,
No - 36/12/3, Ponniyamman Kovil Street,
Kottur, Chennai 600085.



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6. S. Suriya,
s/o. Sivakumar,
Actor, AK International, No-5, Vijayalakshmi
Street, Mahalingapuram, T.Nagar,
Chennai 600034.

7. Trisha
D/o. Krishnan,
Actress, No-26, 2nd Lane, cenotaph road,
Teynampet, Chennai 600018.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 to 3 to ban or regulate the Karuppu film which published in the cinema theatre and OTT platforms based on the representation of the petitioner dated 17.05.2026.

For Petitioner : Mr.M.Senthilkumar

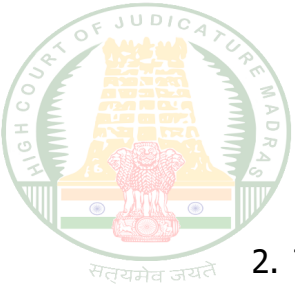
For Respondents : Mr.M.Murali
Government Advocate – for RR 1 and 2

Mr.K.Srinivasamoorthy
Senior Panel Counsel for Central Government
for R3

ORDER

(Order of the Court was made by G.R.Swaminathan J.)

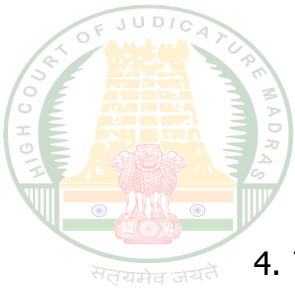
Some feign outrage and pretend to take offence on innocuous issues. The case on hand is a textbook example.



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2. This writ petition has been filed by a practising lawyer for directing the authorities to ban a film titled 'Karuppu'. The petitioner's name is 'Tamilvendan'. It can be loosely translated as 'King of Tamil language'. But his name sounds ironical in the current context. He has given a representation to the authorities in Tamil and it is galore with errors. According to the petitioner, the portrayal of Courts in the movie is highly damaging. He has employed the expression 'நீதிமன்றத்தின் மார்ச்சிமை'. The petitioner probably wanted to say 'மாட்சிமை', which means 'majesty of the Courts'. He rightly describes judicial functions as sacred (புனிதமானதாகும்) , but he had spelt the word as 'புணிதமானதாகும்'. The representation concludes with a clarion call for banning the movie from being shown on OTT platforms (தளங்களில்). But the petitioner has written it as 'தலங்களில்' which means pilgrimage spots. The petitioner had written even his own name wrongly. This writ petition deserved a dismissal for having sent such a shoddy representation. But we do not propose to do that. We would instead give a decent burial by delving into the merits.

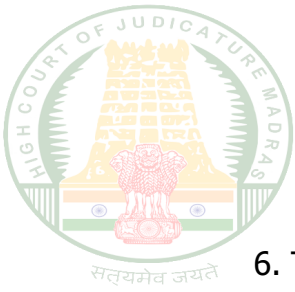
3. The fourth respondent is the producer of the movie. The respondents 5 to 7 have starred in it. The fifth respondent is also its director. The situs of the movie is a Court located in a place called Seven Wells. The presiding officer is shown as corrupt. An unethical advocate wields immense power over the functioning of the Court.



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4. The question that calls for consideration is whether on account of such a portrayal, we should direct the authorities to ban the continued screening of the movie. Our answer is a firm 'NO'. And, there are more reasons than one for arriving at such a conclusion.

5. None can deny there is corruption in the Judiciary. There were and are corrupt Judges. While addressing a legal conference in Kollam, Kerala, former CJI Bharucha implied that 20 per cent of the Judges in this country were corrupt. The startling statement made by the Bhushans (father and son duo) is still in public memory. We would not go that far. We refuse to even endorse such sweeping statements. But, we do know and have come across instances of judicial corruption. The Full Court of the Madras High Court regularly shows the exit door to such black sheep. The Supreme Court acknowledged in **High Court of Judicature at Bombay -vs- V.Shirish Kumar Rangrao Patil (1997) 6 SCC 339** that the cancerous cells of corruption constantly keep creeping into the vital veins of the judiciary. It was also observed that the need to stem it out by judicial surgery lies on the judiciary itself by its self imposed or corrective measures or disciplinary action under Article 235 of the Constitution. Corruption in Judiciary cannot be committed without some members of the Bar becoming privy to the corrupt. The vigilant watch by the High Court is the sustaining stream to catch the corrupt and to deal with the situation appropriately.



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6. The unholy alliance between an unethical lawyer and a corrupt Judge is the theme of the movie. One of us (G.R.Swaminathan, J.) has seen the movie in a theatre (the producer was not called upon to arrange any special screening!). It is true that the portrayal of the system in the movie is grossly exaggerated. But that is the way movies are taken in Tamil. The hero will single-handedly vanquish a dozen villains who surround him. Everything is melodramatic in Tamil cinema. Therefore, 'Karuppu' should also be taken as one of a piece. In any event, the artist is entitled to present in his own way. This is what is called as artistic licence. It should be placed on a high pedestal (**Manoharlal Sharma -vs- Sanjayleela Bansali, 2018 (1) SCC 770**). What passes off as a factual essay or presentation or documentary may be tested on a stricter standard. But, an artistic production will be weighed on a different scale altogether. An artist has a greater leverage and freedom.

7. There is something transgressive about art. Theodor Adorno famously said 'Every work of art is an uncommitted crime'. Artists are to speech what explorers are to travel. The histories of art and censorship are two different ways of mapping the same territory (Timothy Garton Ash in 'Free Speech').

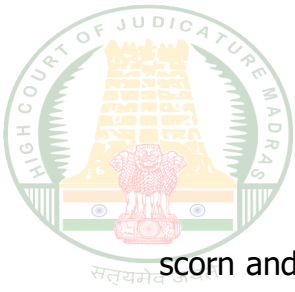
8. A film is a creation of art. An artist has his own freedom to express himself in a manner which is not prohibited in law and such prohibitions are not read by implication to crucify the rights of an expressive mind... authors.. express their



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thoughts according to the choice of their words, phrases, expressions and also create characters who may look absolutely different than an ordinary man would conceive of **(Nachiketa Walhekar -vs- Central Board of Film Certification, (2018) 1 SCC 778)**. If intellectual prowess and natural or cultivated power of creation is interfered without the permissible facet of law, the concept of creativity paves the path of extinction; and when creativity dies, values of civilization corrode **(Via Com 18 Media Private Limited -vs- Union of India, (2018) 1 SCC 761)**. Commitment to free speech involves protecting speech that is palatable as well as speech that we do not want to hear **(Indibly Creative Private Ltd., and Others -vs- Government of West Bengal and Others, AIR 2019 SC 1918)**.

9. The point can be illustrated better by taking the case of a cartoon. A cartoon is closely related to caricature. It implies a deliberate exaggeration intended to produce satirical effect. It is intrinsically a weapon of a ridicule. Webster's New Unabridged Twentieth Century Dictionary of the English Language defined caricature as "the deliberately distorted picturing or imitating of a person, literary style, etc. by exaggerating features or mannerisms for satirical effect." The appeal of the political cartoon or caricature is often based on exploitation of unfortunate physical traits or politically embarrassing events -- an exploitation often calculated to injure the feelings of the subject of the portrayal. The art of the cartoonist is often not reasoned or evenhanded, but slashing and one-sided. One cartoonist expressed the nature of the art in these words : "The political cartoon is a weapon of attack, of

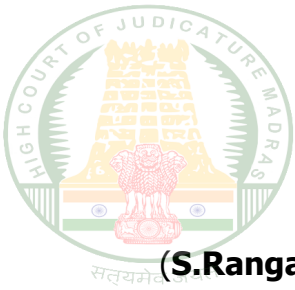


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scorn and ridicule and satire ; it is least effective when it tries to pat some politician on the back. It is usually as welcome as a bee sting, and is always controversial in some quarters." It continuously goes beyond the bounds of good taste and conventional manners. (Opinion of Chief Justice William Rehnquist in ***Hustler Magazine Inc. v. Falwell, 485 U.S. 46 (1988)***). There is an early cartoon portraying Late George Washington, the father of U.S.A, as an ass. In the very nature of things, a cartoonist is entitled to a greater latitude."

10. What applies to a cartoonist would apply to a movie-maker also. He presents a story through the medium of cinema. There will be exaggeration. There will be inaccuracies. It can be an outright fiction also. It may contain a message or it can stop with entertainment alone. The manner of presentation and the content of presentation must be left to the creator. So long as the author does not venture into forbidden territories, the creative spirit must be respected.

11. Article 19(1)(a) of the Constitution of India explicitly declares that all citizens shall have the right to freedom of speech and expression. The freedom of expression means the right to express one's opinion by words of mouth, writing, printing, picture or in any other manner. It would include the freedom of communication and the right to propagate or publish opinion. The communication of ideas could be made through any medium, newspaper, magazine or movie.



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(S.Rangarajan -vs- P.Jagjivan Ram, (1989) 2 SCC 574). This right is subject

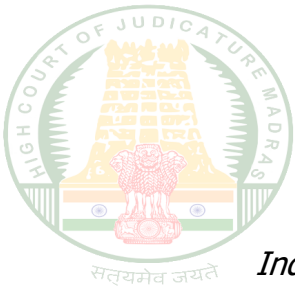
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to Article 19(2) which reads as follows:

"19(1)(2) : Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence."

12. A cinematic production would also fall within the aforesaid fundamental freedom and is liable to reasonable restrictions. The Parliament enacted the Cinematograph Act, 1952 to make provision for the certification of cinematograph films for exhibition and for their regulation. The Central Government was empowered to constitute the Board of Film Certification. The Board would examine the film and may sanction the film for unrestricted public exhibition or sanction the film for exhibition restricted to adults alone or for a given set of audience. It can direct the applicant to carry out cuts. It can even refuse to sanction the film for public exhibition. Section 5B of the Act contains the principles for guidance in certifying films. It reads as follows:

"A film shall not be certified for public exhibition if, in the opinion of the authority competent to grant the certificate, the film or any part of it is against the interests of the sovereignty and integrity of



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India the security of the State, friendly relations with foreign States, public order, decency or morality, or involves defamation or contempt of court or is likely to incite the commission of any offence."

13. Thus, the Censor Board can decline to grant sanction for public exhibition of a movie on the ground that it involves contempt of court. But when the Censor Board itself was not of the view that the film involves contempt of Court and had issued certificate, the Writ Court will not substitute its opinion.

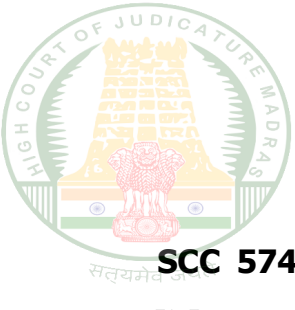
14. We are not laying down any novel proposition. The Hon'ble Supreme Court in **Prakash Jha Productions -vs- Union of India (2011) 8 SCC 372** considered if the Government can ban the screening of a movie after it was cleared by the Central Board of Film Certification. The stand of the Government was that the screening of the movie would cause serious breach of public order. The Hon'ble Supreme Court rejected the said submission and held that, when once an expert body has cleared the film, it was for the Government to see that the law and order situation is maintained. What applies to law and order or public order can also be extended to contempt of court. We, therefore, hold that when the Censor Board had cleared the screening of the film, the Writ Court will not in a Public Interest Litigation direct banning of the movie on the ground that it involves Contempt of Court. It is also relevant to note that the petitioner herein has not filed a Writ of Certiorari



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challenging the clearance certificate issued by the Censor Board. Instead, he has chosen to file only a Writ of Mandamus.

15. Judges need not be treated as holy cows. Justice is not a cloistered virtue; she must be allowed to suffer the scrutiny and respectful even though outspoken comments of ordinary men (Lord Atkin). But the lack of respect in the movie dialogues would not make any difference to us. In **Sheela Barse -vs- Union of India (1988) 4 SCC 226**, it was observed that criticism of judicial functioning is a healthy aid for introspection and improvement and that it is the privileged right of the Indian citizens to believe what he considers to be true and to speak out his mind, though not, perhaps, with the best of tastes; and speak perhaps, with greater courage than care for exactitude. Judiciary is not exempt from criticism. Judicial institutions are, and should be made of stronger stuff. Debates of public issues should be uninhibited, robust and wide open. It may well include vehement, sarcastic and sometimes unpleasant sharp criticism of Government and public officials (**D.C.Saxena -vs- Hon'ble Chief Justice of India, 1996 (5) SCC 216**). We would add by including Courts and Judges also. Judges are not above criticism. In **Foundation Inc -vs- ANI Media (P) Ltd (2025) 10 SCC 353**, it was suggested that Courts should welcome debates and constructive criticism. In a democracy, it is not necessary that everyone should sing the same song and that freedom of expression is the rule (**S.Rangarajan -vs- Jagjivan Ram (1989) 2**



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SCC 574). Long ago, the legendary Justice Black dispelled the assumption that respect for the Judiciary can be won by shielding Judges from published criticism. An enforced silence, however limited, solely in the name of preserving the dignity of the Bench, would probably engender resentment, suspicion, and contempt much more than it would enhance respect (**Bridges vs. California 314 U.S.252**).

16. **S.Rangarajan -vs- P.Jagjivan Ram, 1989 (2) SCC 574** is a noteworthy decision. The Madras High Court had revoked the 'U' Certificate granted to a film 'Ore Oru Gramathile' dealing with the issue of reservation on the ground that it may arouse passions since the subject was sensitive. Setting aside the High Court order, the three Judges Bench of the Supreme Court observed that the standard to be applied by the Courts for judging the film should be that of an ordinary man of common sense and prudence and not that of an out of the ordinary or hypersensitive man. We would adopt the very same approach. The question if the movie involves contempt of court should be viewed from the perspective of a calm judge with broad shoulders and not that of a touchy character. There are observations in **S.Rangarajan's** case which do sound problematic. (**See Gautam Bhatia's 'Offend, Shock or Disturb'**). We are now in the age of social media. Anybody can say anything and get away with it. Therefore, the standards that were evolved in the earlier centuries may no longer hold good. Even if an atrocious statement is made, it would be better to ignore it. The judicial caravan has to move on.

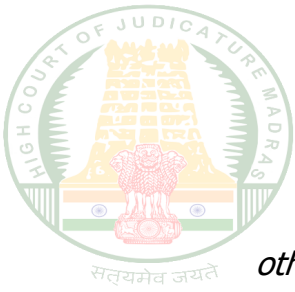


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17. One more legal proposition may have to be laid down. Before we do so, we will quote a story from Ramayana. After a tiring day trekking in the forest, Lord Rama chose a resting place. He dropped his bow and arrows on the ground. When he woke up the next morning, he found that one of his arrows had fatally pierced a frog. The frog was about to breathe its last. The anguished Rama asked the frog as to why it did not raise an alarm. The innocent frog replied, "when others hurt me, I call your name ? Rama Rama! but when you are the source of trouble who else can I call ?. Persons come to Court to protect their freedom and liberty against invasion by the State authorities. It is the Court which stands as the sentinel on the qui vive and it ought not to issue any direction to curtail the freedom of the citizens. As long as the portrayal or writing or expression, does not attract any of the provisions of Article 19(3), it is the duty of the Court to protect. We protect not only the words we like but also those that we hate.

18. Learned counsel for the petitioner contended that, since the private respondents have scandalized the judicial system, we must treat it as a criminal contempt and issue appropriate directions. We do not agree. Section 2(c) of the Contempt of Courts Act, 1971 defines criminal contempt as follows:

" 2(c) "criminal contempt" means the publication (whether by words, spoken or written, or by signs, or by visible representation, or



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otherwise) of any matter or the doing of any other act whatsoever

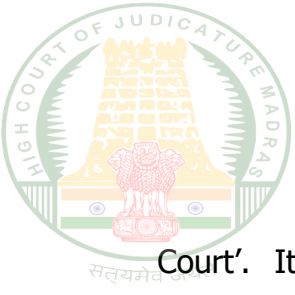
which—

(i) scandalises or tends to scandalise, or lowers or tends to lower the authority of, any Court; or

(ii) prejudices, or interferes or tends to interfere with, the due course of any judicial proceeding; or

(iii) interferes or tends to interfere with, or obstructs or tends to obstruct, the administration of justice in any other manner;

19. Freedom of speech and expression is a fundamental right guaranteed under Article 19(1)(a) of the Constitution. The provisions of the Contempt of Court Act, 1971 make an inroad into the said right. Hence, the provisions dealing with contempt of court will have to be given a narrow, strict and restrictive interpretation when freedom of speech and expression is at stake. It is to be noted that provisions relating to criminal contempt of Court are penal in nature and warrant a strict interpretation on that score also. What would attract Section 2(c) of the Contempt of Courts Act is scandalising or lowering the authority of any Court. The word 'Court' opens with a capital 'C'. We are therefore of the view that the contemnor must have scandalised or lowered the authority of an actual Court. The entire action and drama in the movie unfold within the precincts of a Court located in an area 'Seven Wells'. The Metropolitan Magistrate Courts in Chennai are called George Town Courts, Egmore Courts and Saidapet Courts. There is no Court called 'Seven Wells



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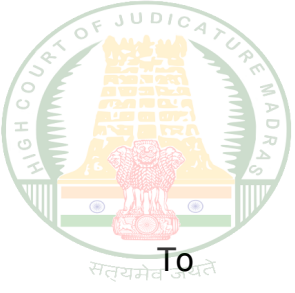
Court'. It is an imaginary one, just as Malgudi is a fictional village in R.K.Narayan's works. When a person presiding over an imaginary Court is portrayed as corrupt, it would not attract the penal provisions contained in Contempt of Courts Act, 1971. We may finally note that the director has not portrayed the entire judicial system as corrupt.

20. We are of the view that no case for issuing the direction sought for has been made out. The writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S.,J.) (V.L.N.,J.)
21-05-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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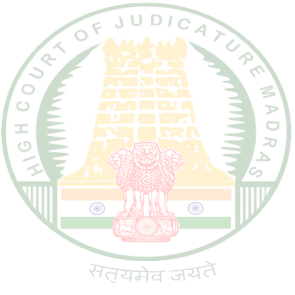


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