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

Date of decision: 19th MARCH, 2026

IN THE MATTER OF:

I.A. 30090/2025 & I.A. 31798/2025

IN

\+ **CS(OS) 957/2024**

ISHA FOUNDATION .....Plaintiff

Through: Mr. Rajshekhar Rao, Sr. Adv. with Mr. Simranjeet Singh, Ms. Pushpaveni Kakkaje, Mr. Jagdish Solanki, Mr. Rohan Jaitley, Ms. Meherunnisa A. Jaitley, Mr. Areeb Amanullah, Mr. Rishabh Pant, Mr. Abhijeet Kr. Pandey and Ms. Apurbaa Dutta, Advocates

versus

GOOGLE LLC & ORS. .....Defendants

Through: Mr. Aditya Gupta and Mr. Rohith Venkatesan and Ms. Vani Kaushik, Advs. for D-1.
Mr. V. T. Perumal, Dr. Ram Sankar, Ms. K Vaijayanthi, Ms. Shaarumathi, Mr. Ashwin Sam and Mr. Nagender Advs. for D-2 & 3.

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

JUDGMENT

I.A. 30090/2025
I.A. 31798/2025

1. The present Suit has been filed with the following prayers:

"*a) Pass a decree of permanent & mandatory injunction against Defendant Nos. 1-4 to immediately delete/remove/take down the defamatory videos and all the posts/publications/allegations emanating out of the defamatory videos as listed in Paragraph 10 of this Plaint, or any other videos/ posts/publications/allegations which are identical to, or similar in content, on the internet through social media platforms, websites, blogs, or any other media such as the Metaverse, blockchain, any Artificial Intelligence program, or any other media such a print, audio-visual etc. which are defamatory with respect to the Plaintiff, and;*

b) Pass a decree of permanent injunction against the Defendants No.1-4, their associates, servants, agents, affiliates, assignees, substitutes, representatives, their subscribers, employees and/or persons claiming through them and/or under them and all other persons from creating, publishing, uploading, sharing, disseminating etc. the defamatory videos as listed in Paragraph 10 of this Plaint, or any other videos which are identical to, or similar in content, on the internet through social media platforms, websites, blogs, or any other media such as the Metaverse, blockchain, any Artificial Intelligence program, or any other media such a print, audio-visual etc. which are defamatory with respect to the Plaintiff, and;

c) Pass a decree of damages to the tune of Rs. 3,00,00,000/- (Rupees Three Crore Only) in favour of the Plaintiff and against the Defendants No. 2 and 3, and;

d) Pass an order for costs of the present proceedings, and;

e) Pass such further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances."

2. The Plaintiff describes itself as a registered Public Charitable Trust *vide* Trust Deed dated 07.01.1992 bearing Document No. 6 of 1992 in Book 4 in the office of the Joint Sub-Registrar-II, Tiruppur, Tamil Nadu. As per the Plaint, the Plaintiff-Trust is dedicated to raising human consciousness and attainment of global harmony, spreading awareness towards social economic and ecological causes by undertaking National and International movements.

3. The Plaint reveals that the Plaintiff-Trust was founded by Sadhguru Jaggi Vasudev ["**the Founder**"], who is stated to be an internationally renowned yogi, and often invited to speak at leading international forums. It is stated that the Founder has received India's second highest civilian honor i.e., the *Padma Vibhushan* in the year 2017. It is stated that the Plaintiff has 16 million followers, about 300 centers spread worldwide and owns and operates a website called https://isha.sadhguru.org/in/en, wherein primarily the videos and discourses of the Founder are disseminated. It is stated that the Plaintiff is also certified by the Yoga Certification Board under the Ministry of AYUSH, Government of India as a "Leading Yoga Institute" and it is also recognized by the Department of Personnel Training, Government of India for providing in-service training programs to the Government Officers.

4. As for the Defendants, it is stated that the Defendant No. 1 owns and operates various platforms and websites services, including YouTube which is an online video-sharing and social media platform headquartered in Mountain View, California, United States. YouTube is the second most-

visited website in the world, after Google Search. The Defendant No. 2 is a weekly Tamil Magazine bearing the website link- https://www.nakkheeran.in/, wherein content by way of several videos is disseminated online. The Defendant No. 3 is an individual who is the Publisher and Editor of Defendant No. 2 and is responsible for dissemination of information through the said platform/website.

5. Grievance that has led to the filing of the present Suit is that the Defendants No. 2 and 3 are creating and uploading *ex-facie* false, malicious and *per se* defamatory content against the Plaintiff, and publishing and circulating the same on YouTube, which is a video-streaming platform owned by the Defendant No. 1, as well as on the website of the Defendant No. 3. It is stated that the videos uploaded on YouTube are done through a channel called '*Nakkheeran TV*', which is operated by the Defendants No. 2 and 3. It is also stated that the very videos uploaded on the channel '*Nakkheeran TV*', are also uploaded on another YouTube channel called '*Nakkheeran Neo*', wherein the videos are dubbed in English.

6. Reading of the Plaint indicates that the sum and substance of the grievance of the Plaintiff-Trust lies in the 11 (eleven) videos, which as per the Plaintiff, are gaining wide publicity day-by-day, from which the Defendants No. 2 and 3 are earning massive revenues and which malign the image of the Plaintiff-Trust, its Founder as well as its followers.

7. Summons in the instant Suit were issued on 02.12.2024. Written Statement on behalf of the Defendant No. 1 stands filed. Since Replication thereto was not filed by the Plaintiff within the prescribed time limit, its right to file the same was closed *vide* Order dated 21.08.2025 passed by the learned Joint Registrar. On the other hand, right of the Defendants No. 2 and

3 to file their written statement(s) along with affidavit(s) of admission/denial of the Plaintiff's documents also stood closed *vide* Order dated 21.08.2025 passed by the learned Joint Registrar

8. By way of this Order, this Court shall dispose of two applications – one being I.A. No. 31798/2025 filed by the Defendants No. 2 and 3 under Order VII Rule 11 of the Code of Civil Procedure, 1908 ["**CPC**"], seeking rejection of Plaint, and the other being I.A. No. 30090/2025 filed by the Plaintiff under Order XXXIX Rules 1 & 2 of the CPC seeking ad-interim injunction against the Defendants.

9. It is trite law that when a specific objection regarding jurisdiction is raised by the defendant(s) in a suit, the same ought to be considered before evaluating the merits of an interim injunction application [Ref: Asma Lateef v. Shabbir Ahmad, **(2024) 4 SCC 696**]. Thus, this Court shall first examine the averments raised by the Defendants No. 2 and 3 in I.A. No. 31798/2025 seeking rejection of the Plaint on the grounds that the Plaint fails to disclose the cause of action arising in the territorial jurisdiction of this Court and the Suit is instituted without the Plaintiff'-Trust's authorization.

10. Learned Counsel for the Defendants No. 2 and 3 has submitted as under:

(i) The Suit ought to have been instituted in the State of Tamil Nadu, as the Defendants No. 2 and 3 having their office headquarters at Chennai, Tamil Nadu, all the impugned videos are in Tamil language and as such, most of the audience that would have viewed the videos would be in situated in Tamil Nadu. Reliance is placed on the judgment of the Apex Court in Patel Roadways Limited v. Prasad Trading Company, **(1991) 4**

SCC 270, and of the Coordinate Bench of this Court in Escorts Limited v. Tejpal Singh Sisodia, **2019 SCC OnLine Del 7607**.

(ii) Even though the Plaintiff has a choice to initiate proceedings before this Court, the allegations contained in the Plaint cannot be substantiated summarily, meaning that the examination of witnesses and evidences would entail – most of this information is available exclusively in the State of Tamil Nadu.

(iii) For instance, the impugned videos at Serial Nos. 1 to 9 as stated in the Plaint, contain information which was received firsthand from estranged followers of the Plaintiff-Trust and all such people belong to towns in the Southern part of India. Moreover, even police officials of the State of Tamil Nadu are involved in certain investigations which are the subject-matter of some of the impugned videos.

(iv) The Suit lacks proper authorization from the Plaintiff-Trust, inasmuch as the Resolution passed by the Plaintiff-Trust to appoint Ms. Lakshmi Jayaraman is not listed in the Suit Documents. Since the production of a duly authorized resolution by the Board of Trustees is indispensable to a suit seeking damages, the present Plaint is liable to the rejected.

(v) The Resolution dated 13.11.2024 which is annexed to the *vakalatnama* filed along with the Plaint, and not the Suit Documents, is signed by one Mr. Pasupathy Sivasankar, whose name is not included in the Trust Deed dated 07.01.1992 or the Codicil dated 01.04.2005, both of which documents have been included in the Suit Documents.

(vi) The issue of authorization also strikes at the root of Section 48 of the Indian Trusts Act, 1882, which clearly states that where there are more than one trustees, all of them must join in the execution of such trust, except where the instrument of trust otherwise provides. On this aspect, the Trust Deed dated 07.01.1992 in clear terms states that it is only the Board of Trustees who have the power to represent the Plaintiff-Trust in all courts – original or appellate – or before any other authorities and departments of Government, Semi-Government or local authority. Reliance in this regard is placed on the Judgment passed by a Full Bench of the High Court of Gujarat in Atmaram Ranchhodbhai v. Gulamhusein Gulam Mohiyaddin & Anr., **1972 SCC OnLine Guj 10** and the Judgment passed by a Single Judge Bench of the High Court of Calcutta in Sachichidananda Banerjee v. Moly Gupta &Ors., **2014 SCC OnLine 19412**.

(vii) Lastly, it also submitted that two out of the eleven impugned videos described in the Plaint at Serial Nos. 10 and 11 and posted on YouTube on 07.03.2017 and 04.01.2023, respectively, are liable to be excluded from the Plaint, as being barred by limitation as per Article 75 of the Limitation Act, 1963.

11. *Per contra*, learned Senior Counsel appearing for the Plaintiff, opposing I.A. No. 31798/2025 has submitted as under:

(i) The examination or interpretation of the recitals contained in the Trust Deed dated 07.01.1992 can only be done in trial. As such, even if it is assumed that the present Suit has been

instituted without proper authorization, the same cannot be a ground for rejection under Order VII Rule 11(d) of the CPC as being barred by law, as the Trust Deed is not equivalent to 'law'.

(ii) Be that as it may, the recitals of the Trust Deed indicate that the Board of Trustees or even a Trustee has the general power to further authorize a person, other than a Trustee, to institute a suit on behalf of the Plaintiff-Trust in the name of the Plaintiff-Trust.

(iii) *In arguendo,* even if this Court was to hold the Suit to have been instituted improperly, the same would be a curable defect, and not one that goes to the jurisdiction of the matter. Reliance is placed on the Judgment passed by a Single Judge Bench of the Madras High Court in K. Santhanam v. S. Kavitha, **2010 SCC OnLine Mad 6009**, whereby it was held that a defect which is curable in nature does not fall within the ambit of Order VII Rule 11 of the CPC. Reliance is also placed on the Judgment passed by the Apex Court in Sankar Padam Thapa v. Vijaykumar Dineshchandra Agarwal, **2025 SCC OnLine SC 2194**.

(iv) Lastly, it is submitted that the two videos (at Serial Nos. 10 and 11), though having been uploaded more than 1 year prior to the date of filing of the present Suit, would not be hit by Article 75 of the Limitation Act, 1963. The reason is that the contents contained in these two videos are regurgitated in other full

length and short videos, with a view to re-engage audience to the *per se* defamatory content.

12. The remedy under Order VII Rule 11 CPC is an independent and stand-alone special procedure, empowering the Court to summarily dismiss a suit at the threshold without proceeding to record evidence or conduct a trial, if any of the prescribed grounds are met. The objective of this provision is to prevent unnecessary prolongation of litigation, abuse of process, to reduce costs and to enable the judicial system to allocate it's time to more deserving causes, once it is found that no valid cause of action exists or the suit is barred by limitation or by other grounds envisaged therein.

13. The Supreme Court in Dahiben v. Arvindbhai Kalyanji Bhanusali, **(2020) 7 SCC 366**summed up the law applicable for the rejection of a plaint, and held that a plaint shall be rejected if it fails to disclose a cause of action, is undervalued or insufficiently stamped despite Court directions, appears to be barred by law, is not filed in duplicate, or if the plaintiff fails to comply with procedural requirements. The rule also includes a proviso allowing the Court to extend the time for compliance in exceptional circumstances to prevent grave injustice. This principle was reaffirmed in the Apex Court decision in the case of Shri Mukund Bhavan Trust v. Shrimant Chhatrapati Udayan Raje Pratapsinh Maharaj Bhonsle, **2024 SCC OnLine SC 3844**underscoring the necessity of curbing frivolous litigation to ensure judicial efficiency.

14. The first objection raised by the Defendants No. 2 and 3 is that this Court does not have the territorial jurisdiction to entertain the present Suit. In this context, reference is bound to be made to Section 19 of the CPC, under which the Plaintiff may, at its option, institute a suit either in the Court

where the wrong is done or where the defendant resides, carries on business, or personally works for gain. Section 19 of the CPC is extracted below for reference:

> "***19. Suits for compensation for wrongs to person or movables.***
> *Where a suit is for compensation for wrong done to the person or to movable property, if the wrong was done within the local limits of the jurisdiction of one Court and the defendant resides, or carries on business, or personally works for gain, within the local limits of the jurisdiction of another Court, the suit may be instituted at the option of the plaintiff in either of the said Courts.*"

15. Reference is further apposite to be made to a decision rendered by a Coordinate Bench of this Court in Escorts Ltd. v. Tejpal Singh Sisodia, **2019 SCC OnLine Del 7607**, in which case, the learned Single Judge observed as under:

> "*31. The plaintiff herein also claims that wrong to the plaintiff has been done by the defamatory tweets of defendant, wherever the said tweets can be accessed across the globe.*
>
> *32. I have wondered, that if such is the plea, whether a plaintiff in a suit for compensation for defamation by publication on internet, has an option under Section 19 of the CPC to sue the defendant anywhere in India.*
>
> *33. In my opinion, no. Section 19, while vesting an option in plaintiff, only envisages, wrong done in jurisdiction of one Court and defendant residing in jurisdiction of another Court. Merely because, with the advent of trade and commerce, wrong done to the plaintiff can be across the country, cannot expand /*

widen the option vested under Section 19 in the plaintiff. Reading Section 19 so, would render it arbitrary, vesting an unguided option, capable of misuse in one of the parties to the lis i.e., the plaintiff and lead to "court shopping" and "libel tourism". There is thus a need to construe / apply Section 19, in such situations, reasonably, so as not to put a plaintiff in such a suit, in a position disadvantageous to the defendant.

34. In my opinion, wrong by defamation, ordinarily would be done to a natural person, at the place of his residence, where he / she has a reputation and to an artificial person as a corporation / company, at the place of registered office of the corporation / company. In such case, the Court of the place of which a person is residence of or where the corporation / company has its registered office, would be a natural court which would have jurisdiction and, in a suit, instituted at such place, averment of publication without even a specific plea of "wrong done" with particulars of the persons in whose esteem the plaintiff has fallen may suffice. However, where a plaintiff in a suit for defamation, chooses to invoke the jurisdiction of an unnatural place i.e. a place of which that person is not a resident of and / or ifa corporation / company in which it does not have its registered office, to invoke the jurisdiction of that Court, the plaint has to necessarily contains pecific pleas of wrong done within the jurisdiction of that Court, by giving particulars of the persons in that jurisdiction, in whose esteem the plaintiff claims to have fallen and /or the loss or damage suffered."

16. The learned Single Judge in Escorts (Supra) has further described two rules, aid of which may be taken to determine the territorial jurisdiction of a court where the plaintiff may sue for defamation. The first rule is that of

there being done 'maximum wrong' at the place where the plaintiff sues the defendant, in comparison to the wrong done at another place. Relevant portion of the Judgment dealing with the 'maximum wrong' rule is extracted below:

> "*43. I may further state that even in cases where the wrong done by the defamation is spread out across several jurisdictions, as would be the case with respect to a natural person enjoying a public stature and in the case of a company/corporation having business interest across several jurisdictions, in my opinion, the jurisdiction even then for institution of a suit for defamation would be of a Court where the maximum wrong is done and which generally in the case of a company/corporation would be the place where the registered office of the company/corporation is, unless it is pleaded that at the place of registered office wrong done is minuscule in comparison to wrong done at another place where the business interest largely is.*"

17. The second principle discussed in Escorts (Supra) was a situation where there is a merger between the place where the wrong is done and where the defendant resides, in which case the suit is to be filed at that common place and at no place else. Relevant portion of the Judgment dealing with this 'merger rule' is extracted below:

> "*46. There is another aspect. Section 19 vests a plaintiff in a suit for compensation for defamation with an option to sue in either of the Courts i.e. where the wrong is done or where the defendant resides/carries on business, only when the two are different. This is clear from use of the words —....if the wrong was done within the local limits of jurisdiction of one Court and the defendant resides, or carries on business, or personally works for gain,*

> *within the local limits of jurisdiction of another Court ….". However this option would not be available to a plaintiff, wrong to whom by defamation is done within the jurisdiction of same Court within whose jurisdiction the defendant resides. It will not be open to such a plaintiff to contend that wrong has been done to him/it, also within the jurisdiction of another Court. I repeat, Section 19 vested option only in plaintiff for a situation where no wrong is done where defendant resides. If wrong is done where defendant resides, there is no option but to sue where defendant resides.*"

18. Keeping in mind the above observations, this Court shall turn to the Plaint, to see whether specific pleas of wrong done within the jurisdiction of this Court are incorporated in the Plaint.

19. At Paragraph No. 20 of the Plaint, the Plaintiff describes the invocation of territorial jurisdiction of this Court for institution of the Suit. Paragraph No. 20 of the Plaint is extracted below:

> "*20. The Plaintiff states that the cause of action has arisen within the jurisdiction of this Hon'ble Court. The content of the defamatory video circulated/published/shared is being viewed by people all over the country, including in New Delhi. The impact of the wrongs of the Defendants is felt most prominently in New Delhi. In fact, the Plaintiff has inter-alia received several e-mails from its volunteers, followers etc. (who belong to New Delhi & have long been associated with the Plaintiff) wherein they write that their years of faith and trust in the Plaintiff have been shattered after watching the Impugned Videos/Links of the defamatory content. Some volunteers belonging to Delhi no longer wish to be associated with the Plaintiff on account of the defamatory videos/links forming the subject-matter of*

> *the present Suit. Few emails of volunteers and followers of the Plaintiff have been annexed with this Plaint to highlight the incalculable nature of damage and loss of reputation/goodwill suffered by the Plaintiff at New Delhi alone on account of the Defamatory Content. Moreover, the videos/links are available and accessible all over India, including through and in New Delhi. The Plaintiff's Centre also operates in Delhi. Hence, a substantial cause of action for filing the present suit has arisen in New Delhi*."

20. Reading of the entire Plaint and in particular Paragraph No. 20 which is extracted above shows that the Plaintiff takes the aid of the 'maximum wrong' rule, by contending that the "…*wrongs of the Defendants is felt most prominently in New Delhi.*" This averment is further justified by stating that the Plaintiff was in receipt of several e-mails from its followers, volunteers, etc., who belonged to New Delhi and were long associated with the Plaintiff-Trust, and in these e-mails, they stated to have lost faith in the Plaintiff-Trust after watched the impugned videos published/uploaded by the Defendants No. 2 and 3.

21. Since it is well-settled that the courts when dealing with an application under Order VII Rule 11 of the CPC are only required to look at the averments in the Plaint as framed, this Court has no hesitation in observing that the 'maximum wrong' rule as discussed in the Judgment of this Court in Escorts (Supra) would apply squarely to the facts of the present case, which would mean that this Court would have the jurisdiction to the entertain the Plaint.

22. The next objection raised by the Defendants No. 2 and 3 in the instant Application, is that since the Plaint is liable to be rejected as the same has

been filed without proper authorization from the Plaintiff-Trust, inasmuch as the Resolution passed by the Plaintiff-Trust to appoint Ms. Lakshmi Jayaraman is not listed in the Suit Documents. It is further averred that the Resolution dated 13.11.2024 which is annexed to the *vakalatnama* filed along with the Plaint, and not the Suit Documents, is signed by one Mr. Pasupathy Sivasankar, whose name is not included in the Trust Deed dated 07.01.1992 or the Codicil dated 01.04.2005, both of which have been included in the Suit Documents. Lastly, learned Counsel for the Defendants No. 2 and 3 has also argued that issue of authorization also strikes at the root of Section 48 of the Indian Trusts Act, 1882, which has not been adhered to by the Plaintiff before institution of the present Suit.

23. This Court is of the considered view that Section 48 of the Indian Trusts Act, 1882, has no applicability to the instant Suit, for the reason that the Plaintiff-Trust is a public charitable trust. The applicability of the Indian Trusts Act, 1882, is limited only to private trusts and their trustees and as such, this argument of the learned Counsel for the Defendants No. 2 and 3 has no force.

24. As to the contention of the Defendants No.2 and 3 that the recitals in the Trust Deed dated 07.01.1992 clearly require the Suit to be instituted only by the trustees enumerated in the said document, this Court shall first have a cursory glance at the relevant clauses contained in the Trust Deed dated 07.01.1992, which is annexed to the Plaint.

25. Clause 6(f) of the Trust Deed states as under:

> "*(f) The Board of Trustees may delegate all or any of the powers vested in them to such person/s for such time as he/they may deem fit and may revoke, vary, alter, rescind such powers so delegated.*"

26. Clause 7(e) of the Trust Deed reads as under:

> "*(e) To compromise, compound, abandon, submit to arbitration or otherwise settle any actions, suits, proceedings, debts, claims or things, whatsoever arising out of the administration of the Trust fund or any institutions maintained and for any of these purposes to enter into, give, execute and do such agreements, instruments or composition or arrangements, releases and other things as may seem expedient by any act or thing so done in good faith as fully as if the Board of Trustees were absolutely entitled to the Trust fund and the said institutions without being answerable for any loss occasioned thereby.*"

27. Clause 7(h) of the Trust Deed reads as under:

> "*(h) To represent the Trust in all Courts (Original and Appellate) or before any authorities and departments of the Government, Semi-Government or local authority.*"

28. Clause 7(j) of the Trust Deed reads as under:

> "*(j) To sign and verify all pleadings, memorandum of appeal, petitions and applications of all kinds, to compromise, abandon or refer to arbitration the whole or any part of the claim by or against the Trust, to engage lawyers and to take all such other necessary steps.*"

29. Clause 7(t) of the Trust Deed reads as under:

> "*(t) The Board of Trustees shall have power to delegate all or any of the powers vested in them by these presents to any other Trustee/s for the purpose*

> *of conveniently managing and exercising such powers.*"

30. Finally, Clause 7(v) of the Trust Deed reads as under:

> "*(v) The powers vested in the Board of Trustees shall be exercised according to the decision of majority of members of the Board of Trustees and by way of resolution passed either by circulation or at the meeting of the Board of Trustees.*"

31. At the very outset, this Court finds itself in agreement with the stand taken by the learned Senior Counsel for the Plaintiff, that even if it is held that the Suit is improperly instituted, the same would be a curable defect and therefore, the dictum of the High Court of Madras in K. Santhanam (Supra) appears to have some weight, which in turn relies on a judgment of the Apex Court in Uday Shanker Triyar v. Ram Kalewar Prasad Singh, **2006 (1) SCC 75**. After appreciating the observations of the Apex Court in Uday Shanker Triyar (Supra), which dictate the general principles regarding the consequences of non-compliance with procedural requirements, the learned Single Judge of the High Court of Madras came to a conclusion that a defective presentation of a plaint cannot result in a rejection thereof under Order VII Rule 11 of the CPC.

32. It is further necessary to note that the learned Counsel for the Defendants No. 2 and 3 has failed to point out precisely which sub-Rule under Order VII Rule 11 of the CPC would be attracted in the event that this Court is persuaded by his arguments. Though reliance has been placed on sub-Rule (d) under Order VII Rule 11 of the CPC to state that the Plaint is barred by law, there is no basis for this contention, as the Trust Deed is not

equivalent to the meaning of 'law' under Article 13 of the Constitution of India.

33. In view of the above, this Court does not find any force in the argument of the learned Counsel for the Defendants No. 2 and 3 that the Plaint ought to be rejected on the ground that the same purportedly lacks proper authorization from the Plaintiff-Trust. Though, it is made clear, that this observation shall not prevent this Court from framing an issue to this extent and dealing with the same at an appropriate stage of trial.

34. The last limb of arguments advanced by the learned Counsel for the Defendants No. 2 and 3 under the instant Application, is that the impugned videos at Serial Nos. 10 and 11 as mentioned in the Plaint, ought to be removed from the Plaint as they are beyond the period of limitation prescribed under Article 75 of the Limitation Act, 1963.

35. During the course of arguments, learned Senior Counsel for the Plaintiff fairly conceded to the above contention, stating that the said two videos were originally uploaded more than a year prior to the filing of the present Suit, however, contents of these two videos have been either reiterated or regurgitated, either directly or indirectly in all the other videos. It is submitted that this continuous reference of the two videos in the consequent ones was done by the Defendants No. 2 and 3 with a view to re-engage audience and deliberately redirect them to such content so that a larger number of people are able to view the *per se* defamatory content.

36. Learned Senior Counsel for the Plaintiff has referred to a judgment rendered by a Coordinate Bench of this Court in Khawar Butt v. Asif Nazir Mir &Ors., **2013 SCC OnLine Del 4474**, wherein the learned Single Judge of this Court examined the 'single publication' as well as the 'multiple

publication' rules, by observing that though re-publication resorted to by the defendant would rise to a fresh cause of action, application of the rule of 'single publication' would be more pragmatic.

37. Reliance by the learned Senior Counsel for the Plaintiff has also been placed on another judgment of a Coordinate Bench of this Court in IE Online Media Services (P) Ltd. v. Nitin Bhatnagar, **2025 SCC OnLine Del 9281**, wherein the learned Single Judge of this Court held that since the plaintiff therein had sought for reliefs other than simply that of damages/compensation, the claim could not be held barred by limitation. While relying on this Judgment, learned Senior Counsel for the Plaintiff submits that even in the present Suit, the Plaintiff seeks reliefs of permanent and mandatory injunction against the Defendants, which is separate and distinct from the relief of damages. He submits without prejudice that even if this Court were to hold the relief of damages/compensation to be barred by limitation, the relief of mandatory injunction would not be hit by Article 75 of the Limitation Act, 1963.

38. Learned Senior Counsel for the Plaintiff further relies on another judgment passed by a Coordinate Bench of this Court in Samman Capital Ltd. v. Bhupinder Singh Rana, **2025 SCC OnLine Del 3287**, wherein the learned Single Judge while forming a *prima facie* view that the material therein was defamatory, rejected the argument of the defendant therein that several tweets were beyond the period of limitation, and further observed that the incident of defamation formed part of a larger defamatory campaign of the defendant therein, thereby ordering removal of the defamatory content. He submits that similar to the facts involved in the said Judgment, since the Defendants No. 2 and 3 herein have orchestrated a larger campaign

against the Plaintiff and its Founder, for collateral and malicious reasons, the two videos ought not to be taken down.

39. Perusal of the assertions in the Plaint indicates that it is the case of the Plaintiff that the Defendants No. 2 and 3 have attempted to orchestrate a large-scale campaign against the Plaintiff-Trust as well as its Founder. Further, though the Plaintiff claims that the two videos at Serial Nos. 10 and 11 have been reiterated in the later impugned videos as well as several articles authored by the Defendants No. 2 and 3, this Court believes that a proper analysis into this averment would require a deeper analysis of all the impugned videos and articles, against which the Plaintiff has filed the present Suit. This exercise cannot be carried out at the stage of examining an application under Order VII Rule 11 of the CPC.

40. However, since the averments in the Plaint are that the Defendants No. 2 and 3 have attempted to orchestrate a large-scale campaign against the Plaintiff-Trust and its Founder, this Court believes that the observations of the Coordinate Bench of this Court in Samman Capital Ltd. (Supra) would find relevance in the instant case.

41. Additionally, if the case of 'single publication' rule or 'multiple publication' rule are to apply or even that of hyperlinking, which has been discussed in detail by a Coordinate Bench of this Court in Ruchi Kalra v. Slowform Media (P) Ltd., **2025 SCC OnLine Del 1894**, which was also relied upon the Samman Capital Ltd. (Supra), this Court would be required to carry out a detailed examination to ascertain whether each re-publication/hyperlinking of the alleged *per se* defamatory content in videos at Serial Nos. 10 and 11 would give rise to a new cause of action. This,

again, cannot be done by this Court at the stage of examining an application under Order VII Rule 11 of the CPC.

42. In any event, since it is the pleaded case of the Plaintiff that a large-scale campaign against the Plaintiff-Trust and its Founder, this Court finds force in the argument advanced by the learned Senior Counsel for the Plaintiff.

43. With the above observations, this Court deems it fit to dismiss I.A. No. 31798/2025.

44. It is made clear that the observations made by this Court hereinabove would not prevent framing of issues *inter alia* relating to the proper/improper authorization on behalf of the Plaintiff as well as the videos at Serial Nos. 10 and 11 being beyond limitation.

45. Before delving into the merits of I.A. No. 30090/2025, being the application filed by the Plaintiff under Order XXXIX Rules 1 & 2 of the CPC seeking ad-interim injunction against the Defendants, this Court shall remind itself of the law relating to grant of interlocutory or interim injunctions in civil suits and its application to the cases of defamation.

46. Reference is made to the decision of the Apex Court in Hazrat Surat Shah Urdu Education Society v. Abdul Saheb, **1988 SCC OnLine SC 490**, wherein the following observations were made:

> "*3. ...No doubt the District Judge held that there was no prima facie case in the respondents' favour but he further recorded a positive finding that even if the plaintiff-respondent had prima facie case there was no balance of convenience in his favour and if any injury was caused to him on account of the breach of contract of service he could be compensated by way of damages in terms of money therefore, he was not*

> *entitled to any injunction. The High Court failed to notice that even if a prima facie case was made out, the balance of convenience and the irreparable injury were necessary to exist. The question whether the plaintiff could be compensated by way of damages in terms of money for the injury which may be caused to him on account of the breach of contract of service was not considered by the High Court. No temporary injunction should be issued unless the three essential ingredients are made out, namely, (i) prima face case, (ii) balance of convenience, (iii) irreparable injury which could not be compensated in terms of money. If a party fails to make out any of the three ingredients he would not be entitled to the injunction and the Court will be justified in declining to issue injunction. In the instance case the respondent-plaintiff was claiming to enforce the contract of service against the management of the institution. The refusal of the injunction could not cause any irreparable injury to him as he could be compensated by way of damages in terms of money in the event of his success in the suit. The respondent was therefore, not entitled to any injunction order. The District Judge in our opinion rightly set aside the order of the trial court granting injunction in favour of the plaintiff-respondent. The High Court committed error in interfering with that order.*"

47. While dealing with the provisions of Order XXXIX of the CPC, the Apex Court in Dalpat Kumar v. Prahlad Singh, **(1992) 1 SCC 719**, has observed as under:

> "*4. Order 39 Rule 1(c) provides that temporary injunction may be granted where, in any suit, it is proved by the affidavit or otherwise, that the defendant threatens to dispossess the plaintiff or otherwise cause injury to the plaintiff in relation to*

any property in dispute in the suit, the court may by order grant a temporary injunction to restrain such act or make such other order for the purpose of staying and preventing ... or dispossession of the plaintiff or otherwise causing injury to the plaintiff in relation to any property in dispute in the suit as the court thinks fit until the disposal of the suit or until further orders. Pursuant to the recommendation of the Law Commission clause (c) was brought on statute by Section 86(i)(b) of the Amending Act 104 of 1976 with effect from February 1, 1977. Earlier thereto there was no express power except the inherent power under Section 151 CPC to grant ad interim injunction against dispossession. Rule 1 primarily concerned with the preservation of the property in dispute till legal rights are adjudicated. 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, on 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."

48. Specific to the cases of the defamation, the landmark English case law in Bonnard v. Perryman, **[1891] 2 Ch 269** comes into relevance, wherein the House of Lords shed light on the public interest implicit in free speech and observed that unless the alleged libel is proven untrue, no wrong is committed. Thus, until the falsity of the alleged libel is established, no right is deemed to have been infringed. It was held that a mere assertion of an intention to justify the allegations in order to successfully resist an interlocutory injunction to restrain the publication of a libel was sufficient to caution the Court in not granting injunctions. The aforesaid has come to be known as the *Bonnard* principle.

49. The *Bonnard* principle was applied by the Apex Court in the case Bloomberg Television Production Services India Private Limited &Ors. v. Zee Entertainment Enterprises Limited, **2024 SCC OnLine SC 426**, wherein it was observed as under:

> "*9. In essence, the grant of a pre-trial injunction against the publication of an article may have severe ramifications on the right to freedom of speech of the author and the public's right to know. An injunction, particularly ex-parte, should not be granted without establishing that the content sought to be restricted is "malicious" or "palpably false". Granting interim injunctions, before the trial commences, in a cavalier manner results in the stifling of public debate. In other words, courts should not grant ex-parte injunctions except in exceptional cases where the defence advanced by the Plaintiff would undoubtedly fail at trial. In all other cases, injunctions against the publication of material should be granted only after a full-fledged trial is conducted or in exceptional cases, after the Plaintiff is given a chance to make their submissions…*"

50. This Court has perused the Impugned Videos and articles by which the Plaintiff-Trust is aggrieved. Before opining on the contents of the Impugned Videos and articles, this Court is of the *prima facie* opinion that the manner in which the eleven Impugned Videos have been published, does indicate an element of malice on part of the Defendants No. 2 and 3 against the Plaintiff-Trust and its Founder. The titles of the Impugned Videos such as "*Hold tight. Will Jakki come out? Isha's veil is torn! The preacher's empire is collapsing!*" and "*Jakki caught like Asaram Bapu.* Cannot *Escape!*" are click-bait titles, drafted in a way to lure audience, especially when unfounded comparison of the Founder is being made in the title itself. Similar is the nature of the titles of the impugned articles, for instance "*Not yoga, it's hypnotism! Cheating trickery!...*" and "*Will the Isha slaves be rescued? Jaggi's mask is torn in the High Court*."

51. Moreover, having gone through the transcripts of the Impugned Videos, this Court has noted that certain harsh political statements have also been made by the Defendant No. 3 against high-ranking government officials and their alleged relation or otherwise with the Plaintiff-Trust or its Founder. Another statement forthcoming from a video is, "…*Jaggi of Isha who operates violating all laws of the country – in a few days the central government is going to give Padma Vibhushan award, thank you.*" Such statements, in the opinion of this Court, imply that certain ulterior political agenda is also afoot on part of the Defendants No. 2 and 3, with the aim to malign and cause harm to the Plaintiff-Trust.

52. Attention of this Court is also drawn to the video at Serial No. 1, which was uploaded on 22.10.2024. Reference to this impugned video was

specifically made by the learned Senior Counsel for the Plaintiff, while juxtaposing the same to an Order dated 18.10.2024 passed by the Apex Court in Special Leave to Appeal (Crl.) No. 13992/2024, which arose out of a Judgment dated 30.09.2024 passed by a Division Bench of the High Court of Madras in a *habeas corpus* writ petition. The Apex Court, in its Order dated 18.10.2024 disposed of Special Leave to Appeal (Crl.) No. 13992/2024, while observing that the individuals who were stated to be the detenues before the High Court of Madras, had attained majority and expressed their clear inclination to continue at the Coimbatore center of the Plaintiff-Trust.

53. Learned Senior Counsel for the Plaintiff submits that despite passing of the Order dated 18.10.2024 by the Apex Court, the Defendants No. 2 and 3 go on to upload the Impugned Video at Serial No. 1, where the Defendant No. 3 is seen making comments like, "*Who has taught this? Jaggi, With what should he be beaten? Should he be beaten or not?*" In the opinion of this Court, comments such as these, transcend the boundary of fair criticism and ought to be injuncted as the online presence of such content certainly harms the reputation of the Plaintiff-Trust.

54. Lastly, this Court has also seen the contents of the impugned video at Serial No. 7, wherein the Defendants No. 2 and 3 are seen alleging that the Plaintiff-Trust grabbed a forest land, blocked an elephant corridor and grabbed 44 acres of tribal land. Learned Senior Counsel for the Plaintiff urged that these allegations were answered in negative by way of a response to applications under the Right to Information Act, 2005 ["**RTI**"] given by the Forest Department, Government of Tamil Nadu, stating that there was no elephant corridor in the Coimbatore Division, and the Plaintiff did not

encroach upon any forest land nor any tribal land. He further submits that in complete contravention of the Closure Reports filed by the investigation team, the Defendants No. 2 and 3 continue to air this impugned video, and have made attempt to give any clarificatory statement regarding the allegations. In the opinion of this Court, given that there is a clarification from the Forest Department, the action of the Defendants No. 2 and 3 continuing to air the video which involves statements like "*He will not come into the scene because he is a big guy. Very big guy. He will not say anything. But these small insects around him, that also, even those are inside Isha will not answer,"* and "*Isha is the main culprit; he is the captain,"* do give a color of intent to defame the Plaintiff-Trust. In this context, this Court also affirms the observations of the Judgment passed by a Coordinate Bench of this Court in Nitin Bhatnagar & Ors. (Supra), and believes that while report of investigations may serve public interest at the relevant time, the perpetual digital availability of such materials, even after the factual foundation has ceased to exist, raises serious concerns of enduring reputational harm and stigma.

55. In light of the above discussion, in the opinion of this Court, the contents of the impugned videos are *per se* defamatory and the same directly impinge upon the reputation of the Plaintiff-Trust in eyes of the general public as it states that the Plaintiff follows certain practices which are not accepted in the society.

56. It is well settled that reputation is an integral part of the dignity of each individual and there is a need to balance between freedom of speech and freedom of expression *vis-a-vis* the right to reputation which has been

considered as a part of the right to life under Article 21 of the Constitution of India.

57. This Court is of the opinion that the eleven impugned videos as well as the impugned articles do have a direct impact on the reputation of the Founder. Admittedly, the 11 Impugned Videos, when combined have garnered over 50 lakhs views and thousands of comments, wherein several viewers have expressed their agreement to the contents of the Impugned Videos. If the video is not taken down immediately, the Plaintiff-Trust will suffer loss of reputation which cannot be compensated monetarily. Balance of convenience also lies in restraining the Defendants No. 2 and 3 to upload the very same impugned videos and articles at any of the social media platforms and directing the Defendant Nos.1, 2, 3 & 4 to bring down the impugned videos and articles which has been uploaded at the links as mentioned in Para 10 and Paras 25 to 51 of the instant Application being I.A. No. 30090/2025.

58. Accordingly, the Defendants No. 2 and 3, their associates, servants, agents, affiliates, assignees, substitutes, representatives, their subscribers, employees and/or persons claiming through them and/or under them from creating publishing, uploading, sharing, disseminating etc. any such defamatory content, articles, videos until the next date of hearing.

59. Defendants No. 1 and 3 are also directed to bring down the bring down the impugned videos and articles which has been uploaded at the links as mentioned in Para 10 and Paras 25 to 51 of the instant Application being I.A. No. 30090/2025.

60. Any member of the public is also restrained from uploading the very same video on any social media platforms till the next date of hearing.

61. With these directions and observations, I.A. No. 30090 is disposed of.

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62. List before the Joint Registrar on 20.05.2026 for completion of pleadings and admission/denial of documents.

SUBRAMONIUM PRASAD, J

MARCH 19, 2026
Rahul/AP