

(1988) 02 SC CK 0012

Supreme Court of India

Case No: Writ Petition (Civil) No. 107 of 1988

Ramesh Dalal

APPELLANT

Vs

Union of India (UOI) and Others

RESPONDENT

Date of Decision: Feb. 1, 1988

Acts Referred:

- Constitution of India, 1950 - Article 32

Citation: (1988) 1 JT 262 : (1989) 2 SCC 288 Supp

Hon'ble Judges: Sabyasachi Mukherjee, J; S. Ranganathan, J

Bench: Division Bench

Final Decision: Dismissed

Judgement

@JUDGMENTTAG-ORDER

Sabyasachi Mukherjee, J.

This is a petition under Article 32 of the Constitution filed by a lawyer in public interest seeking to ban the exhibition of T.V. serial "Tamas", on the ground that it offends or likely to offend public order and public morality and create public danger. Detailed arguments have been advanced before us. We propose to consider the detailed arguments in a judgment which will be delivered shortly. We state, however, our conclusion and pass the following order:

2. We dismiss this writ petition under Article 32 of the Constitution because we are satisfied on the evidence of the Board of Censors as well as the views expressed by the two learned Judges of the High Court in Appeal No. 96/88 arising out of W.P. No. 201/88 entitled "GOVIND NIHILANI v. UNION OF INDIA and Ors.", which is also before us in the Special leave petition, that the effect is not likely to affect public order or the commission of any offence. We dismiss the Special leave petition. We are also of the opinion, having considered the facts and the circumstances of this case, this case is not a fit case for interference under Article 32 of the Constitution. It does not affect any fundamental right or likely to affect any fundamental right. No

order as to costs.