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Case raised against a TV channel for defaming a company and its project

BACKGROUND

A Television News Channel to increase their Target Rating Points (TRP) indulged into reckless, malicious, inflammatory and defamatory programs against a company and its project. The Television News Channel by sensationalizing certain false issues raised by them, without verifying the accuracy of any of their claims, without contacting the company for any clarification and without an iota of concern for the various legal and moral codes were airing the programs. This had a negative impact on the company and its project. After studying the documents, a Suit was filed against the TV channel and others involved, seeking damages of more than 300 Crores.

CHALLENGES

- The immediate challenge was to obtain injunction against the TV channel from broadcasting any defamatory programs against the company.
- To prove the damages and to obtain necessary orders.

STRATEGY

- After thorough research on media laws and code of ethics and broadcasting standards Cable Television Networks (Regulation) Act a letter was drafted and filed a Suit claiming damages against the TV Channel and also sought interim and ad-interim injunction.
- The Court on being satisfied that the Defendants had broadcast defamatory contents on its channel without following any of the procedures and law granted ex-parte injunction in favor of the company.
- The TV channel approached the High Court against this order, but the High Court refused to interfere. When the Suit came up for hearing, the company filed its Evidence. The TV channel in order to avoid a Decree against it opted for an amicable settlement.

IMPACT

By way of settlement, the TV channel agreed to broadcast programs of the company on its channel free of cost and in the event of default agreed to pay compensation. The parties obtained Consent Decree from the Court.