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

+ **W.P.(C) 4695/2026**

DIGITAL IP BRAND PROTECTION ALLIANCE.....Petitioner

Through: Mr. Abhishek Singh, Mr. Karan
Chaudhary, Advocates

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Mr. Aditya Gupta, Mr. Rohith
Venkatesan, Advocates for R-3

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **09.04.2026**

1. The present petition is for the following reliefs:

“a) Issue a writ, order or direction in the nature of mandamus to Respondent No. 1, the Ministry of Electronics and Information Technology (MeitY), requiring it to ensure that the framework created under the Information Technology Act, 2000 and the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 particularly obligations under Rule 3(2) and Rule 4 of the Rules are effectively complied with by the intermediaries;

b) Direct the concerned intermediaries [respondent no. 2 to Respondent no. 9], to comply with their obligations under Rule 3(2) of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 by taking down the infringing content notified by the Petitioner in the present petition within 7 days;

c) Direct the concerned intermediaries [respondent no. 2 to Respondent no. 9], to comply with their obligations under the Rule 4 (2) and 4(4) of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 by taking reasonable measures to prevent its re-appearance of the content in violation of rules 3(1), preserving all relevant



logs and metadata and details of the first originator, and inform the same to the petitioner for taking necessary actions;

d) That this Hon'ble Court may also be pleased to issue a writ, order or direction in the nature of mandamus, directing intermediaries to establish and make operational a functional, transparent grievance redressal mechanism in terms of Rule 4 (1) of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.”

2. The petitioner-society contends that its members have been facing a sustained and escalating pattern of unauthorised copying, distribution and commercial exploitation, of their purported copyrighted content on the respondent-intermediary platforms.¹ It is its specific stand that a wide variety of materials of the petitioner-society's members, including relating to music videos, music, and educational content, are freely available on the respondent-intermediaries.

3. The petitioner-society has also submitted that complaints were made by its members on 24.10.2025, 27.10.2025 and 28.10.2025, before one of the intermediaries; however, a generic response was received that the content had been reviewed, but no “*effective compliance*” took place.

4. This Court is of the view that under the garb of ensuring compliance with the due diligence requirements, provided for under the Information Technology Act, 2000 and the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, the petitioner cannot be permitted to, effectively, seek an injunction.

5. Before a direction can be passed for a take down/blocking of content available on an intermediary's platform; the petitioner, or its specific member, ought to establish before a Court of law, that the said content is its

¹ Telegram Messenger LLP, Google LLC [YouTube], Meta Platforms Inc., PDFCoffee.com, GoodReads.com, PragatiOnline.com, Course4sale, and Z-Library.



intellectual property/copyrighted work, and further that the essential prerequisites of an injunction have been satisfied. The private intermediaries, cannot be expected to, in the absence of there being a finding rendered by a Court, to take down, suspend or block content, which is contended by an individual to be their intellectual property.

6. Learned counsel for the petitioner at this stage, seeks permission to withdraw the writ petition with liberty to take appropriate steps in accordance with law.

7. With the liberty as prayed for, the petition stands dismissed as withdrawn.

PURUSHAINDR KUMAR KAURAV, J

APRIL 9, 2026

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