



O.S.No.28/2024
Dated:06.08.2026.

IN THE COURT OF THE III ADDITIONAL DISTRICT JUDGE: NELLORE

Present: **Smt P.J.Sudha.**

III Additional District Judge, Nellore

Thursday, this the 06th day of August, 2026.

O.S.No.28/2024

Koppavarapu Pandurangaiah. S/o.
Venkata Subbaiah, aged 85 years.
Advocate & Taxation Practitioner,
Residing at D.No. 5-1-679,
Srirangarajapuram, Stonehousepet,
Nellore-2.

... Plaintiff.

Vs

1. Kota Gurubramham S/o.late
Sivaramayya,
2. Kota Satyanarayana S/o.late
Sivaramayya, both are residing at
Subedarpeta, Santhapeta. Nellore-I,
SPSR Nellore District

... Defendants.

This suit is coming on 07.07.2026 for final hearing before me, in the presence of Sri V.Kamalakar Reddy, Advocate for the plaintiff and of Sri Sd.Nasar Basha, Advocate for the defendants; and having stood over for consideration to this day, this Court delivered the following:-

J U D G M E N T

This is a suit filed by the plaintiff against the defendants for damages of Rs.1,00,00,000/- for defamation, costs and other reliefs.

2. The brief averments of the plaint are as follows:

(a) The plaintiff submits that he is a Taxation Practitioner-cum-Advocate in Nellore Town is being aggrieved with the defamatory statement made by the defendants in the written statement in O.S.No.23/2022 and they spread these scandalous, defamatory, derogatory remarks among the business and caste community after the judgment on 10.05.2023, with a view to insult him in the eye of public to damage his image and reputation.

(b) The plaintiff further submits that the defamatory, derogatory, venomous statement, which is devoid of truth was made in the written statement filed in O.S.No.23/2022 on the file of Principal Senior Civil Judge Court, Nellore on 16/06/2022 with the cooperation and conspiracy of both the defendants with callous indifference to human dignity, name and fame which trait had been protected jealously in the constitution as Article 21 and almost all holy scriptures such as Bhagavad Gita, Holy Bible and of Holy Quran had referred the concept of reputation and its values and it is much more relevant to pander over some of the scriptures propounded by the great souls.

Some of which are:

In Bhagadvad Gita verse 16.2, it has been said:

"Non-violence in thought, word and deed, truthfulness and geniality of speech, absence of anger even on provocation, disclaiming doership in respect of actions, quietude or composure of mind. Abstaining from malicious gossip, compassion towards all creatures, absence of attachment to the objects of senses even during their contact with the senses, mildness, a sense of shame in transgressing against the scriptures or usage, and abstaining from frivolous pursuits."

The English translation of Surah 49 Ayat 11 of the Holy Quran reads as follows:

"Let not some men among you laugh at others; it may be that the (latter) are better than the (former): nor defame nor be sarcastic to each other, nor call each other by (offensive) nicknames, ill-seeming is a name connoting wickedness, (to be used of one) after he has believed: and those who do not desist are (indeed) doing wrong."

Proverb 15 of the Holy Bible reads as under:

"A soft answer turns away wrath,
but a harsh word stirs up anger.
The tongue of the wise dispenses knowledge,
but the mouths of fools pour out folly.
The eyes of the LORD are in every place,
keeping watch on the evil and the good.
A gentle tongue is a tree of life,
but perverseness in it breaks the spirit.

Though, the aforesaid saying have different contexts, yet they lay stress on the reputation, individual honour and also the need of gentleness of behavior on the part of each one.

Thoughts of the creative writers and thinkers

William Shakespeare in Othello expressed his creative thoughts on character by the following expression:

"Good name in man and woman, my dear lord,
Is the immediate jewel of their souls
Who steals my purse steals trash; 'tis something nothing;
'Twas mine, 'tis his, and has been slave to thousands;

But he that flinches from me my good name
Robs me of that which not enriches him,
And makes me poor indeed."

The said author in Richard II, while enhancing the worth of individual reputation, achieved his creative heights, and the result in the ultimate is the following passage:

"The purest treasure mortal times afford
Is spotless reputation; that away,
Men are but gilded loam or painted clay.
A jewel in a ten-times-barr'd-up chest
Is a bold spirit in a loyal breast.
Mine honour is my life, both grow in one,
Take honour from me, and my life is done."

The famous Greek philosopher and thinker Socrates taught:

"Regard your good name as the richest jewel you can possibly be possessed of - for credit is like fire; when once you have kindled it you may easily preserve it, but if you once extinguish it, you will find it an arduous task to rekindle it again. The way to gain a good reputation is to endeavor to be what you desire to appear."

The philosopher in Aristotle inspired him to speak:

"Be studious to preserve your reputation; if that be once lost, you are like a cancelled writing, of no value, and at best you do but survive your own funeral".

Apart from the above sayings borrowed from the holy scriptures, it is much apt also to pander over various international covenants which had stressed on the significance of reputation and honour in a person's life. The Universal Declaration of Human Rights has explicit provisions for both, the right to free speech and right to reputation. Article 12 of the said Declaration provides that:

"12. No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks."

The International covenant on Civil and Political Rights (ICCPR) contains similar provisions. Article 19 of the Covenant expressly subjects the right of expression to the rights and reputation of others. It reads thus:

- (1) Everyone shall have the right to hold opinions without interference.
- (2) Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
- (3) The exercise of the rights provided for in Para (2) of this Article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
 - (a) for respect of the rights or reputations of others;
 - (b) for the protection of national security or of public order (order public), or of public health or morals."

When the name, fame and reputation an important facet of one's life is considered as jewel of the souls and when an attack is made on it is to be considered as serious flaw and is to be dealt with it seriously and expeditiously.

It is further submitted that in the garb of Freedom of Speech which can certainly never trespass into the personal avenues and reputation of an individual had been fearlessly encroaching the individual's lives and

causing havoc and if unchecked it would engulf each and every fragment of the society.

(c) All these factors culminated into filing this suit when a venom spitting derogatory, defamatory statement appeared in the written statement against the Plaintiff on 16/06/2022.

(d). The plaintiff further submits that the defendants, Kota Gurubramham and Kota Satyanarayana are brothers running a hardware business in the name and style as Simhapuri Hardware, Glass and Plywood in Nellore town.

(e). The plaintiff further submits that the defendants are clients of the plaintiff for their taxation work i.e., sales tax, Income tax since 1979. The 1st defendant offered the shares of Caplin point Laboratories, the plaintiff accepted their offer and purchased 1000 shares, paid the amount fully as per the existing market price. But the shares were not transferred in the name of the plaintiff for want of certain clearance from the company. Later the share value of those shares are increased in multi fold, the defendant evade transferring the shares in spite of demand made by the plaintiff orally. The plaintiff and the defendants were in good terms during the transaction, no written receipt or document obtained from the defendant.

(f) When the plaintiff filed a civil suit after exhausting all avenues, the defendants with an intention to defeat the rights of the plaintiff made scandalous statement in the written statement filed by defendant No.1 and 2 individually, further spread these scandalous, defamatory, derogatory remarks among the caste community and thereby committed an offence of defamation.

(g). The plaintiff further submits that in the written statement, the 1st defendant stated "In paragraph 3, "The plaintiff has created concocted

story trying to squeeze the money from the defendants on illegal methods and he has trying to gain wrongfully."

In paragraph 4. "The plaintiff misused the said amount for his personal uses, that itself shows the illegal attitude and professional misconduct of the plaintiff as a Tax practitioner."

"The plaintiff using arm twisting methods and legal terrorism against the defendants."

In paragraph 5. "The same was misused by the plaintiff and created false story to extract the money from the defendants by illegal methods.""

And the 2nd defendant stated "In paragraph 3, "The plaintiff has not filed any receipt of the purchase of shares from the defendant. That itself shows the illegal attitude of the plaintiff. The plaintiff has created concocted story trying to squeeze the money from the defendants on illegal methods and he has trying to gain wrongfully."

"The entire story was created by the plaintiff with false intention and evil motive."

"This is nothing but the creation of concocted story created by the plaintiff and there is no iota of truth of the allegations raised by the plaintiff."

In paragraph 5. "The plaintiff misused the said amounts for his personal uses".

"That itself shows illegal attitude and misconduct of the plaintiff as a Tax practitioner."

In paragraph 8. ""The plaintiff is a Tax practitioner showing his professional misconduct and he is evading huge amounts to the 2nd defendant. The 2nd defendant submits that the plaintiff is in the habit of collecting amounts fraudulently from the 2nd defendant and misused the

same for his personal requirements", which indicates that the defendants had developed vengeance against the plaintiff. It is not out of place to submit a few words about the plaintiff: The plaintiff is a senior citizen with professional excellence of more than five decades. He is popular leading Taxation advocate with high reputation in the business circle of Nellore Town and neighbouring districts.

(h). The plaintiff submits that the contents of the written statement filed by defendants 1 and 2 are vituperative. The statements made in O.S. No. 23 of 2022 were circulated among the advocate community, civil courts, the business community in Nellore Town and neighbouring districts. Some of the plaintiff's clients enquired with him about those statements. After the judgment dated 10.05.2023, the defendants spread these scandalous, defamatory and derogatory remarks among the caste community, thereby attempting to undermine and damage the plaintiff's reputation.

(i). The statements had a demoralizing effect on the plaintiff and eroded the public trust and confidence reposed in him and his office. The written statement filed on 16.06.2022 contained scandalous, defamatory, derogatory and untruthful allegations. The defendants intended and had reason to believe that the imputations would harm the plaintiff's reputation and cause injury to him.

(j). The defamatory statements are wholly unconnected with the issues involved in the original suit. They are devoid of truth and were made only to deter the plaintiff from proceeding further to achieve a personal good and by any stretch of imagination, it cannot be equated to that of a public good.

(k). The defendants committed acts prohibited by law. By abusing the legal process and making the slanderous statements dated

16.06.2022, they sought to defame the plaintiff and lower his reputation beyond the limits permitted by law.

(l) The defendants falsely attributed malafides to the plaintiff. The defamatory statements constitute a clear abuse of process and were made with malicious intention to defame the plaintiff, create obstacles and deter him from proceeding with the trial of the suit.

(m). The false and venomous statements seriously eroded the esteem and reputation enjoyed by the plaintiff among the public and the legal fraternity. The plaintiff's clients expressed anguish after reading the written statement dated 16.06.2022. Therefore, the plaintiff issued a legal notice dated 03.10.2023 to both the defendants. The notice was served, but the defendants neither replied nor denied the allegations. Therefore, the plaintiff is entitled to recover Rs.1,00,00,000/- from all the defendants as they damaged the honour and reputation of the plaintiff.

(n) The plaintiff submits that the cause of action to file this suit arose on 16.6.2022 when such defamatory statement was made in the written statement filed in O.S.No.23/22 and after pronouncement of the Judgment on 10/5/2023, they spread these scandalous, defamatory, derogatory remarks among caste community to further demine and deteriorate the reputation of the plaintiff and the plaintiff filed a criminal defamation against the defendant on 23.1.2024 on the file of Hon'ble II AJMFC, Nellore and when all the defendants used to harass the plaintiff and caused mental agony and damage his honour and reputation in the eye of public by using defamatory words.

(o) Therefore, the plaintiff prays the court to pass a decree and judgment in favour of plaintiff and against the defendants jointly and severally to pay Rs.1,00,00,000/-(Rupees one Crore) with interest and costs of the suit.

3. The 1st defendant filed written statement and the same was adopted by 2nd defendant by filing adoption memo. The defendants Specifically denied all the averments in the plaint and put the plaintiff to strict proof of the allegations which are not specifically admitted by them in their written statement. The defendants submit that the suit is wholly false, frivolous, vexatious and not maintainable either on facts or in law. The defendants admitted the fact with regard to filing of the earlier suit by plaintiff against them in O.S.No.23/2022 and they filed written statement in the said suit and that the said suit was dismissed on 10.5.2023. They categorically denied the allegation that they spread any scandalous, defamatory or derogatory remarks against the plaintiff after the judgment dated 10-05-2023. They submit that the plaintiff cannot question the judgment by filing this suit, utmost, he can appeal the same and can seek his remedy only.

(a) The defendants further submit that the allegations with regard to conspiracy, malicious intention, and publication of false and defamatory statements in the written statement filed in O.S. No. 23 of 2022 are absolutely baseless. The plaintiff has unnecessarily referred to constitutional provisions, the Bhagavad Gita, the Holy Quran, the Holy Bible, and quotations of philosophers and writers, which have no relevance to the present dispute and brought into this litigation to divert the case facts.

(b) All these quotes mentioned by the plaintiff is shown to style himself as a spiritual person only. May be he is follower of good religious attitude and it cannot be helpful for plaintiff to file suit for defamation. Falsely claiming money from these defendants is unjust and unscrupulous and the plaintiff did not understand the Bhagvad Geeta, The Holy Bible and The Holy Quran and if the plaintiff had truly understood the above spiritual Holy books, he would not have filed the

present suit. If there is a genuine claim, he can claim and if claim is not genuine, the defendants would certainly resist the vexatious claim of the The defendants contested the suit and the Court accepted the defence of the defendants and dismissed O.S. No. 23 of 2022.

(c) The defendants further submitted that the constitutional rights and protections relied upon by the plaintiff are available equally to every citizen, including the defendants. The allegations that the defendants misused freedom of speech or intentionally damaged the plaintiff's reputation are false, imaginary and self-contradictory and self destructive.

(d) With regard to the business transaction, the defendants admitted that they were engaged in business. However, they specifically deny that the 1st defendant offered 1,000 shares of Caplin Point Laboratories to the plaintiff, that the plaintiff paid the entire sale consideration, and that the defendants failed to transfer the shares after the market value was increased. According to the defendants, no receipt or documentary proof exists to support such allegations and the plaintiff is put to strict proof.

(e) The defendants further stated that the averments contained in the written statement filed in O.S. No.23 of 2022 were made only for defending themselves in the vexatious suit. Those pleadings represented their true version of facts, which was accepted by the Court while dismissing the plaintiff's claim. Therefore, the allegations in the written statement amounted to defamation are wholly incorrect. The defendants denied that the written statement was circulated among advocates, business circles or members of the caste community or that any client of the plaintiff questioned him because of such statements. They also denied that the judgment dated 10-05-2023 was followed by any campaign to tarnish the plaintiff's reputation. According to them, these allegations are imaginary and invented solely for filing the present suit.

The defendants also denied that the written statement caused loss of reputation, public confidence, or professional standing to the plaintiff. They stated that there was never any intention to harm the plaintiff's reputation, and the allegations of malicious intent, ill-will and vengeance are false. The plaintiff has merely repeated the same allegations throughout the plaint without any supporting material. The defendants further denied the allegations that they abused media influence, acted with malafide intentions, or attempted to obstruct the plaintiff from prosecuting the earlier suit. They submitted that these allegations are nothing but hallucinations and baseless assumptions made for the purpose of creating a cause of action.

(f) The defendants submits that the plaintiff is known to them. He was good friend. But time goes on, he developed ill aversion against the defendants and he became jealous of the business of the defendants. What all the defence taken by the defendants was taken to succeed in vexatious suit in O.S.No.23 of 2022 only they have no personal grudge or anger against the plaintiff. The defendants are still treating plaintiff as their old friend, it is the plaintiff who develop jealous against the defendants and filing vexatious suits to have wrongful gain and to intimidate the defendants. The defendants wants to defend the false claim of the plaintiff in earlier suit in O.S. No. 23 of 2022 and also in the present suit. The defendants further submitted that what all the averments mentioned in the Written statement in O.S.No.23/2022 is true and correct and there is no any ill intentions are malafides in filing of the written statement. They have legally defended the suit as per law only. The defendants have availed their legal remedies to succeed from false claim of the plaintiff. Therefore, the defendants prays the Hon'ble Court to dismiss the suit with costs.

4. Basing on the above pleadings, the following issues have been framed for trial.

- 1. *Whether the statements made by the defendants 1 and 2 in the written statement filed in O.S.No.23/2022 are defamatory and damaged the reputation of the plaintiff as averred in the plaint?***
- 2. *Whether the plaintiff is entitled for damages of rupees one crore as pleaded by him?***
- 3. *To what relief?***

5. Upon considering the rival pleadings and the above issues framed by this court, this Court inclined to frame an additional issue relating to limitation to file the suit. It is settled law that as per Sec.3 of Limitation Act, every suit instituted, appeal preferred and application made after the prescribed period, shall be dismissed although the limitation has not been set up as a defence. Therefore, even though the defendant has not taken the plea of limitation, but on bare perusal of the date of filing written statements in O.S.No.23/22 and other aspects regarding publication of defamatory statements and the date of filing of the suit, this Court is inclined to frame an additional issue regarding the limitation and the same is as follows:

Additional Issue No.1

Whether the suit is barred by limitation?

6. During the course of trial, on behalf of the plaintiff, the plaintiff got examined himself as Pw.1 and examined a third party witness as PW2 and Ex.A.1 to Ex.A.4 were marked. On behalf of the defendants, both the defendants are examined as D.Ws.1 and 2 and no documents were marked on their behalf.

7. Heard both the counsel. Written arguments filed on behalf of both parties. Citations filed on behalf of the plaintiff.

8. **Issue No.1**

Upon considering the rival pleadings and on perusal of the record, at the outset, the suit is filed by the plaintiff against the defendants seeking damages of one crore rupees for alleged defamation caused by the defendants.

(a) The brief case of plaintiff is that he is a taxation practitioner-cum-advocate of Nellore town, gained good reputation in his profession. The defendants are doing business in the name of Simhapuri Hardwares in Nellore Town and they are his clients in taxation since 1979. While so, the 1st defendant offered to sell the shares of Caplin Point Laboratories, the plaintiff accepted their offer and purchased 1000(one thousand) shares and paid the amount fully as per the existing market price, but the shares were not transferred in the name of plaintiff for want of certain clearance from the company. Later, the share value of those shares was increased in multifold and hence, the defendants evade transferring the shares in spite of demand made by the plaintiff orally. The plaintiff and defendants were in good terms during the transactions and hence, no written receipt or document was obtained from the defendants. Hence, the plaintiff filed suit in O.S.No.23/2022 on the file of Principal Senior Civil Judge's Court, Nellore against the defendants for recovery of Rs.29,90,000/- which is payable by the defendants towards the share value and dividend of said shares. The defendants with an intention to defeat the rights of plaintiff made scandalous statement in the written statements filed by them individually on 16.06.2022 and they spread these scandalous, defamatory, derogatory remarks among the caste, community and thereby committed an offence of defamation. Further,

some of the clients of plaintiff enquired with him about the statements of defendants and after pronouncement of judgment on 10.05.2023, the defendants spread these scandalous, defamatory, derogatory remarks among the caste community to further demine and deteriorate the reputation of the plaintiff. Hence, the plaintiff got issued a legal notice to the defendants on 03.10.2023, the same was received by the defendants, but they did not issue any reply and hence, the plaintiff is constrained to file the suit.

(b) On the other hand, the defendants filed written statement specifically denying all the allegations made against them in the plaint and they have been contending that the plaintiff is known to them and what all the defence taken by them in the written statement in O.S.No.23/2022 was taken to succeed in vexatious suit O.S.No.23/2022 only and they have no personal grudge or anger against the plaintiff. The defendants wants to defend the false claim of plaintiff in O.S.No.23/2022 and also in the present suit. They have legally defended the suit as per the law. The defendants availed their legal remedies to succeed from the false claim of the plaintiff. All the averments in the written statement filed in O.S.No.23/2022 is true and correct, and there are no malafides or ill-intention in filing the written statement, as such the plaintiff is not entitled to the relief as prayed for.

9. Upon considering the above rival contentions, it is necessary to have a glance of law relating to Defamation, the remedies and defences available to the parties in a suit filed for damages for defamation, for proper appreciation of the matter on hand.

What is Defamation and what constitutes defamation

The word 'Defamation' has been defined by many authors, eminent scholars and consistently interpreted by the Court of law in

various judgments. In short, Defamation is injury to the reputation of a person. A statement calculated to expose a person to hatred, contempt or reduce or the person is injured in his trade, business, profession or he is defamed in such a way that he be shunned or avoided in the society.

Defamation may be committed by way of writing, or its equivalent or by way of speech. Defamation committed through writing is called as 'libel'. Defamation committed through speech is known as 'slander'. To constitute an action for defamation, the following essentials are necessary.

- (1) The statement must be defamatory:
- (2) The said statement must refer to the plaintiff;
- (3) The statement must be published.

Remedies: The victim of defamation got remedies under civil law and criminal law and he can sue the tortfeasor for damages and also initiate criminal prosecution.

Defences : The defences to an action for defamation are:

1. Justification or Truth,
2. Fair comment,
3. Privilege, which may be either absolute or qualified.

10. Now, let us to see whether the plaintiff has established all the above essentials to constitute defamation.

Firstly, The statement must be defamatory:

As seen from the pleadings, at para 7 of plaint, the plaintiff referred to certain statements in the written statement filed in O.S.No.23/2022 by the defendants on 16.6.2022 as defamatory and at para 8, he is contending that the said statements of D1 and D2 in O.S.No.23/2022 was circulated in Advocate Community of Nellore and other places, in civil

courts and in the business community in Nellore Town and some of the clients of plaintiff enquired with him about the statement of the defendants and after pronouncement of judgment on 10.5.2023, they spread these scandalous, defamatory, derogatory remarks among the caste community to further demine and deteriorate the reputation of the plaintiff. Hence, let us see what are those statements made in the written statements of defendants 1 and 2 filed in O.S.No.23/2022 and referred as defamatory by the plaintiff in paragraph 7 of plaint, and which is as follows

The 1st defendant stated in paragraph 3, "The plaintiff has created concocted story trying to squeeze the money from the defendants on illegal methods and he has trying to gain wrongfully."

In paragraph 4. "The plaintiff misused the said amount for his personal uses, that itself shows the illegal attitude and professional misconduct of the plaintiff as a Tax practitioner."

"The plaintiff using arm twisting methods and legal terrorism against the defendants."

In paragraph 5, "The same was misused by the plaintiff and created false story to extract the money from the defendants by illegal methods.""

And the 2nd defendant stated "In paragraph 3, "The plaintiff has not filed any receipt of the purchase of shares from the defendant. That itself shows the illegal attitude of the plaintiff. The plaintiff has created concocted story trying to squeeze the money from the defendants on illegal methods and he has trying to gain wrongfully."

"The entire story was created by the plaintiff with false intention and evil motive."

"This is nothing but the creation of concocted story created by the plaintiff and there is no iota of truth of the allegations raised by the plaintiff."

In paragraph 5. "The plaintiff misused the said amounts for his personal uses".

"That itself shows illegal attitude and misconduct of the plaintiff as a Tax practitioner."

In paragraph 8. ""The plaintiff is a Tax practitioner showing his professional misconduct and he is evading huge amounts to the 2nd defendant. The 2nd defendant submits that the plaintiff is in the habit of collecting amounts fraudulently from the 2nd defendant and misused the same for his personal requirements".

11. By referring to the above statements made in the written statements of D.1 and D.2, the plaintiff has been contending that the above statements made in the written statements are defamatory and *per se* actionable. The certified copies of said written statements are exhibited as Ex.A1 and Ex.A2 and the defendants also admitted that Ex.A1 and Ex.A2 are copies of the written statements filed by them in O.S.No.23/22.

12. In this regard, the learned counsel for the defendants would argue that the plaintiff conveniently picked up certain sentences from the written statement and alleging that the said sentences are defamatory in nature, without bringing the true facts before the court. One shall read the entire written statement as a whole to understand the true meaning and the selective sentences cannot be read in isolation. The defendants explained in their written statement about the circumstances which made the plaintiff to file a frivolous and vexatious suit against them. In the

course of explaining the reasons for misunderstandings among the parties, the defendants were constrained to mention the above facts in their written statement, which the plaintiff is claiming to be defamatory. The plaintiff filed the suit in O.S.No.23/2022 by contending that he purchased 1000 shares from the defendants and he did not obtain any receipt from them, in view of good terms prevailing between the parties at the relevant time, but in view of increase in the share value, the defendants declined to transfer the same to the plaintiff to get wrongful gain and the plaintiff claimed a huge amount of Rs.29,90,000/- as payable by the defendants, without filing a single document in proof of alleged purchase of shares from the defendants and without mentioning in the plaint about the date of alleged purchase. In the said circumstances, the defendants were constrained to deny such false allegations in the manner as mentioned in their written statement and they were constrained to explain the true reason behind filing the suit by the plaintiff i.e. as to why misunderstandings cropped up between them and as to why the plaintiff filed the suit with false allegations. Hence, What all stated in the written statement is in the process of explaining the reasons behind filing suit in O.S.NO.23/2022 and there is no malice or malafide intention to defame the plaintiff. Thus, there is every need to read the entire written statement as a whole rather than reading isolated sentences.

13. The counsel for the defendants further submitted that the court has to appreciate the defence in this suit, in the touch stone of preponderance of probabilities. If the plaintiff had considered the above sentences in the written statement are defamatory and caused damage to his reputation, he would have filed a rejoinder in the suit denying the allegations made against him in the written statement. Further, if the plaintiff really considered that the above statements in the written statement are defamatory and will cause damage to his reputation in case

of its circulation among the Advocate's community or his business community or others, he would have filed the suit for damages immediately during the pendency of suit in O.S.No.23/2022 and there is no need to wait till the disposal of suit in O.S.No.23/2022, as there is no legal impediment to file the suit for damages during the pendency of O.S.No.23/2022, basing on the cause action arose on the date of filing of written statement by the defendants. But, as seen from the record, written statements were filed on **16.6.2022**, the suit in O.S.No.23/2022 was dismissed on **10.5.2023** and the present suit for damages is filed on **2.2.2024 i.e.** the present suit for damages is filed after **one year six months** from the date of filing written statements allegedly containing defamatory statements against the plaintiff. Here, the court shall not ignore the fact that the plaintiff is not a layman and he himself mentioned in the plaint that the is a tax practitioner cum Advocate in Nellore town. Then, nothing would have prevented him from filing the rejoinder in O.S.No.23/2022 and suit for damages immediately after filing of written statements in O.S.No.23/2022 and there is no need for him to wait for a period of around one year six months, to file a suit. The failure of plaintiff to file rejoinder and suit for damages immediately or within short period of filing written statements would demonstrate what was the perception of plaintiff in respect of said statements. No ordinary prudent person who is well versed in law, would maintain silence for around one year six months, to initiate action for alleged defamatory statements.

14. The learned counsel for the defendants would further submit that even though the plaintiff did not file rejoinder in O.S.No.23/22, but coming to the cross-examination in this suit, he stated that he filed the rejoinder in O.S.NO.23/2022. He further stated that he will file the copy of reply for written statement before this Court, but for the reasons best known to the plaintiff, who is Tax practitioner-cum-Advocate, he did not file the same in

this Court, to prove his bonafides. The counsel for the defendants prayed the court to consider all the above aspects to decide the genuineness and bonafides in the claim made by the plaintiff.

15. Adverting to the above submissions, as rightly submitted by counsel for the defendants, as seen from the cross-examination of P.W.1 dated 01.08.2025, he admitted as true that the suit in O.S.No.23/2022 filed by him was dismissed. He stated that he read over the contents of written statements and he also filed reply to the said written statement and he did not file the copy of said reply before this Court. He denied the suggestion that he did not file reply to the written statement in the said suit, for which P.W.1 again stated that he will file the copy of reply for the written statement before this Court. But, no such reply or rejoinder said to have been filed by the plaintiff in O.S.No.23/2022, is filed in this suit. Therefore, it is clear that the plaintiff did not deny the contents in the written statements filed by the defendants, more particularly about the alleged scandalous statements, by filing a rejoinder. Thus, the failure of the plaintiff being a Tax practitioner cum Advocate and well versed in law, to file rejoinder, demonstrates the true impact of alleged defamatory statements on the consciousness of the plaintiff. If such alleged defamatory statements had shaken his consciousness in any way of causing damage to his reputation, there is no need for him to keep silence for one year and six months to initiate action against the tort feasors. The fact remains is the plaintiff issued legal notice under Ex.A3 on 3.10.2023 i.e. after one year 3 months from the date of filing written statements in O.S.No.23/22 containing alleged defamatory statements by the defendants. It is apparent on the face of record that the said notice was issued subsequent to dismissal of the suit in O.S.No.23/22.

16. As seen from the record, the written statements in O.S.No.23/22 were filed on 16.6.2022 and the said suit was dismissed on 10.5.2023 and the present suit is filed on 2.2.2024 i.e. after one year six months from the date of filing of written statements which allegedly contains defamatory statements causing damage to the reputation of the plaintiff, though the limitation to file a suit basing on publication of defamatory statements in writing i.e. libel is one year from the date of publication of said libel. Moreover, there is no legal impediment to file suit for damages basing on the alleged defamatory statements in the written statement, immediately after filing of the same in the court on 16.6.2022 and there is no need to wait till the disposal of the suit in O.S.No.23/2022. As already discussed above, the legal notice under Ex.A3 also issued after one year 3 months from the date of filing the written statement and after disposal of the suit in O.S.No.23/22 on 10.5.2023.

Absolutely, there is no explanation from the end of plaintiff, who claims to consider the reputation is everything for a human being and more than any wealth on the earth, for not issuing legal notice immediately, or filing the suit immediately and to wait for a period of one year six months to file the suit. Here the question that would arise for consideration is as to why the plaintiff being an advocate kept quite for a long period of around one year six months to take action against the tortfeasors, when no ordinary prudent man also would wait for such long time to take action, without any justifiable reason. But no such justifications are forthcoming on record and which are expected from a prudent person. All the above facts, circumstances and probabilities would reflect on the bonafides or true reason behind filing of the suit.

17. Be that as it may, a plain reading of the above sentences pointed out by the plaintiff are defamatory, if read in isolation and are actionable per se. Now, it is necessary to see whether the above sentences if read

conjointly with all the other contents of written statements would justify the case of defendants that they made the said statements to defend their case, and they have no malafide intention to cause damage to the reputation of the plaintiff.

18. It is settled law that truth is an absolute defence for defamation, as contended by the plaintiff. This principle has universal application and applies equally in all cases. It is also settled law that he who seeks equity must do equity and the person who is unfair towards another person, cannot expect fairness from the other person towards whom he was unfair.

19. In this regard, no doubt, as seen from the evidence on record, the defendants did not produce any material before this Court to prove that they gave Rs.1 lakh to the plaintiff towards payment of income tax and the plaintiff used the same, as mentioned in their written statements. If such statement, which the defendants failed to prove has to be considered as defamatory, then the plaintiff also made a similar statement in his pleadings in O.S.No.23/2022 that he purchased 1000 shares from the defendants and in view of increase in the share value, the defendants did not transfer the shares in his favour to get wrongful gain, and the plaintiff also failed to prove the said statement and thus, the said statement also becomes defamatory. Therefore, this court is of considered view that mere failure to produce evidence in support of any statement in the pleadings itself does not amounts to defamation. The court shall read the entire pleadings and the attending circumstances to arrive to a conclusion, whether a particular statement is defamatory.

20. Thus, on careful and meaningful reading of defence taken by the defendants in the written statements filed in O.S.No.23/2022, it goes to

show that they have denied the claim made by the plaintiff, and also explained as to how misunderstandings arose between plaintiff and the defendants and as to why they have stopped engaging the services of plaintiff as a Tax Practitioner. In the course of explaining the said facts, they have made a statement that they gave Rs.1 lakh for payment of income tax and the plaintiff used the same and incidental statements. Here, it is an admitted fact that the defendants are the clients of plaintiff for long years and it is also an admitted fact that they have stopped the services of plaintiff since several years before filing the suit. Therefore, the statements made by defendants that they gave Rs.1 lakh to the plaintiff towards payment of income tax and he used the same and all other incidental statements are nothing short of the statement made by plaintiff in the pleading in O.S.No.23/22 that he purchased 1000 shares from the defendants and as the share value was increased, they did not choose to transfer the shares in spite of several oral requests of plaintiff, to get wrongful gain. The above statement of plaintiff is '***the INNUENDO***'. Though the above statement of plaintiff may prima facie be innocent, but leads to the meaning that the defendants have cheated the plaintiff or betrayed him with dishonest intention to get wrongful gain. Here it is once again necessary to mention that the plaintiff failed to produce any document to prove that he purchased 1000 shares from the defendants and paid consideration thereof and he admitted the same in his cross examination, on the other hand, the defendants also failed to prove that they gave Rs.1 lakh to the plaintiff towards payment of income tax and he used the same. When the statement of the plaintiff is not defamatory, then it is unfair to claim that the statements of defendants are defamatory. Further, as already discussed above, the above statements are made by the defendants to explain as to why disputes or misunderstanding arose

between the plaintiff and the defendants, and what are the circumstances lead the plaintiff to file the suit with false allegations.

21. Thus, this Court is of the considered view, the statements made in the written statement are made without any malafide intention and it is purely made in the course of defending the case of defendants and the defendants did not exceed the right of defence provided under law and the said statements are not defamatory.

22. The statement must refer to the plaintiff

There is no dispute regarding the fact that the statements made in the written statement are referring to the plaintiff.

23. The statement must be published

In this regard, the learned counsel for the defendants would argue that publication is the most essential ingredient in a suit for defamation, except making a bald allegation that the defendants spread the contents of written statement among the caste members, business circle, the plaintiff has not produced any reliable evidence. No specific date, time or place of such publication has been pleaded or proved. No independent witness has been examined to show that the defendants communicated the alleged statements to any third person outside the Court proceedings. In the absence of proof of publication, the suit is liable to be dismissed. During cross-examination, plaintiff admitted that he did not file any document to show that defendants circulated their statements containing defamatory statement either in the advocate community, business community or the caste community. Further, when pressed to substantiate his claim that clients approached him questioning his integrity, the plaintiff stated in the cross-examination that he cannot say the names of his clients, who enquired him about the statements of the defendants. The

counsel for defendants would submit that pleadings in a suit are restricted to the judicial record. Any reading of the written statement by the plaintiff or his counsel does not satisfy the legal threshold of public dissemination by the defendants. Further, P.W.2 is not an eye witness to the alleged publication of defamatory statements. P.W.2 has not stated the specific date, time, place and persons before whom the alleged defamatory statements were made. His evidence is purely hearsay in nature and does not establish the personal knowledge regarding the publication of the alleged defamatory statements. P.W.2 has not named any member of the caste community, business community or any other person before whom the defendants allegedly circulated the contents of the written statement. P.W.2 is an interested witness and he admitted that he is the client of P.W.1. No other independent witnesses are examined to speak that the defendants published the statements and hence, filing of written statements by the defendants in the court does not amounts to publication.

24. On the other hand, the learned counsel for the plaintiff submitted that the pleadings in the written statement amounts to publication and in support of his submission, he relied upon a decision in **Doctor Rachna Gupta Vs. Dev Ashish Buttacharya (Himachal High Court) in OMP 574/2019 decided on 03.10.2020**, wherein their lordships discussed vividly as to what amounts to defamatory statements by referring to the definitions of various jurists and the observations made by various Courts to explain that reputation is a priceless asset, an inseparable facet of human dignity and an integral component of the right to life under Article 21 of Indian Constitution.

In **Sathya Prakash Arya vs. Syed Abid Jalali (Jammu & Kashmir and Ladak High Court) decided on 20.07.2024**, wherein it was

reiterated that the allegations made in judicial proceedings must be bear nexus with the issues involved and cannot become a shield for malicious attacks on person's reputation.

In **Trichinopoly Ramaswamy Ardhanani Vs.Krupa Sankar Bhargava 1991 MPLJ 597**, it was held that privilege attached to judicial proceedings does not extend to malicious and irrelevant defamatory statements wholly unnecessary for adjudication.

A decision in Thangavelu Chettiar vs. Ponnamal AIR 1966 Madras 363 was referred in the above case, wherein it has been ruled that filing a plaint or petition containing defamatory matter amounts to publication, therefore, perse defamatory statement in pleadings, petitions, affidavits etc., of parties to the judicial proceedings are offence under Sec.500 of IPC unless they fall within the exceptions enumerated in Sec.499 of IPC.

25. In the light of ratio laid down in the above decisions, now it is necessary to see whether the plaintiff proved that the defendants had published the defamatory statements. Before going for discussion on the above aspect, it is once again necessary to mention that the plaintiff's claim of defamation falls under "Libel" as well as "Slander".

Firstly, the plaintiff has been contending that filing the written statements by the defendants on 16.6.2022 in O.S.No.23/22 is itself publication and is actionable under '**libel**'.

Secondly, the plaintiff has been contending that after filing the written statement and after pronouncement of judgment in O.S.No.23/22 dated 10.5.2023, the defendants spread the scandalous statements made in the written statement among the Advocates' community, business community and others and his clients enquired with him regarding the said statements and it is actionable under "**slander**".

26. As far as publication made by filing the written statements in O.S.No.23/22 on 16.6.2022 is concerned, it is already held in the discussion above that said statements are not defamatory. Further, the plaintiff cannot maintain the suit for '**Libel**' basing on said cause of action arose on 16.6.2022, as it is barred by limitation as per Article 75 of Limitation Act, which prescribes the limitation to file suit in case of '**Libel**' is one year. But the plaintiff filed the suit after one year six months from the date of actual filing of written statements in the court. The said aspect will be discussed in detail in the following additional issue framed in respect of limitation.

27. As far as the allegation that after filing written statements and after pronouncement of judgment in O.S.No.23/22 on 10.5.2023, the defendants spread scandalous statements among Advocates' community, business community, caste community of plaintiff and some of his clients enquired with him is concerned, as seen from the cross-examination of P.W.1, he categorically stated that **he cannot say the names of his clients** who enquired with him about the statements of defendants. He further stated that he did not file any document to show that the defendants 1 and 2 circulated these statements containing defamatory statements either in advocate community, business community or the caste community.

28. To overcome the above evidence in the cross-examination dated 01.08.2025, the plaintiff got examined P.W.2 by filing chief-affidavit on 26.08.2025. P.W.1 did not refer in the chief-affidavit or in the cross-examination that P.W.2 informed him about publication of statement made by defendants or he enquired with him about the statements made by the defendants in O.S.No.23/22, but P.W.2 got mentioned in the affidavit that he came to know that plaintiff purchased some shares for Rs.10,000/-

from the defendants and they failed to transfer the same to plaintiff due to increase in the market prices and that the defendants made scandalous statements in the written statement filed by them. P.W.2 also further referred in the chief-affidavit that defendants stated in the written statement 'plaintiff has created concocted story and trying to squeeze money from the defendants on illegal methods and he has trying to gain wrongfully, misused the defendants money for his personal uses, that itself shows the illegal attitude and profession misconduct of the plaintiff as a tax practitioner etc., and the statement of defendants 1 and 2 is circulated by them.

29. Coming to the cross-examination of P.W.2, he stated that he does not know how many cases were filed by plaintiff against the defendants. He further stated that the defendants informed him that the plaintiff cheated them being their auditor. When he was questioned whether he got mentioned the same in the chief affidavit, he stated that he did not mention the same in his chief-examination. Hence, no weight can be given to the above statement.

30. PW2 further stated that he has seen the written statement filed by the defendants in O.S.No.23/2022. In this regard, it is necessary to mention that he is not a witness in O.S.No.23/22 and he did not properly explain who had shown him the written statement filed in O.S.No.23/22.

When he was questioned regarding his knowledge to the allegations made in the written statements that the defendants paid amount to the plaintiff for paying income tax and use of the same by the plaintiff, PW2 stated that the plaintiff paid income tax by receiving from the defendants. This statement goes to show that the plaintiff received amount from the defendants for payment of income tax and this evidence supports the case of defendants to the extent that they paid amount to the

plaintiff for payment of income tax. P.W.2 further stated that he has not seen the receipts showing the payment of income tax by the plaintiff for the defendants. He do not know the date of receipt of amount from the defendants and payment of income tax by the plaintiff. Thus, above evidence of PW2 goes to show without any saying that he has gone to extent of speaking about the personal dealings between the plaintiff and the defendants in connection with payment of income tax and tried to protect the interest of the plaintiff, though he does not know anything about the payment of income tax by the plaintiff for defendants and the same is elicited from his mouth.

31. Having stated that he gone through the written statement, when he was questioned as to whether he has got any documentary evidence to prove that the defendants made defamatory statements, he stated that he has no documentary proof to show that in whose presence the defendants made the defamatory statement. If really P.W.2 has gone through the written statement circulated by the defendants, he ought to have stated that he got the copy of written statement with him and how he secured the said statement. He never stated that the defendants circulated the written statement and he got copy of the same or he did not speak that the defendants had shown the written statement to him. Further, when he was questioned as to when the defendants allegedly informed him against the plaintiff, he stated that about 1 ½ year back when he went to their shop, they have stated to him that the plaintiff used to cause inconvenience to his clients and he did not pay income tax, though received amount from them and cautioned him to be careful. He further stated that he informed the same to the plaintiff when he met him in a marriage and he admitted that he did not mention the same in his chief-affidavit. Thus, the above evidence which is not stated in the chief affidavit is of no help to the case of plaintiff. As seen from the entire chief

evidence and also cross-examination of P.W.2, he never stated about the date, time on which the defendants circulated the defamatory statements made in the written statement.

32. Here, to consider the evidence of PW2, it is necessary to see whether the plaintiff examined as PW1 has mentioned anywhere in his evidence that PW2 is his client and he enquired with the plaintiff regarding the alleged defamatory statements made by the defendants. But as seen from the entire evidence of P.W.1, he never stated that P.W.2 informed him or enquired with him about the alleged defamatory statements made by defendants with P.W.2. As already discussed above, P.W.1 categorically stated in his cross-examination that he cannot mention the name of his clients who enquired with him about the alleged defamatory statements made by defendants. Therefore, the evidence of P.W.2 cannot be considered. P.W.2 also did not refer about the names of community people or business community in whose presence the defendants made defamatory statements against the plaintiff. Thus, the evidence of Pw2 is not at all helpful to prove the case of plaintiff. Therefore, the plaintiff failed to prove that the defendants published the defamatory statements either before or subsequent to the disposal of suit in O.S.No. 23/22.

33. Thus, on careful perusal of entire evidence on record, though the plaintiff proved that the defendants made certain statements in their written statement filed in O.S.No.23/2022, which are referred above, he failed to prove that the above statements are defamatory. On the other hand, the defendants established that they have made all the statements to defend their case in O.S.No.23/2022 and they have made the said statements to explain as to how the misunderstandings arose among them and which was the reason for filing the case by the plaintiff. The

plaintiff did not choose to file rejoinder in O.S.No.23/2022 denying the allegations made in the written statement. Anyhow as the suit was filed for recovery of money towards the alleged purchase of shares by the plaintiff, the burden squarely rests on him and as he failed to prove his contentions, he lost the suit. Therefore, as seen from the defence taken in the written statements, it is relevant to the case in O.S.No.23/2022 and they did not exceed the limit of defence permitted under law. Further, the plaintiff failed to prove that the defendants made the said statements with a malafide intention to cause damage to the reputation of plaintiff and that the defendants published the same. As the plaintiff failed to prove that the defendants published the alleged defamatory statements, the question of sustaining damages does not arise.

34. It is once again pertinent to mention that when the plaintiff made an allegation that he purchased the shares from defendants without obtaining any receipt and in view of increase of share value, the defendants did not transfer the same in favour of plaintiff, to get wrongful gain and if such statement is not defamatory, then the statement of defendants that they paid Rs.1 lakh to the plaintiff for payment of income tax and he misused the same also does not amount to defamatory statement. Neither plaintiff nor the defendants have got documentary proof to establish that the plaintiff purchased shares from the defendants and that the defendants paid Rs.1 lakh to the plaintiff for payment of income tax. Both the statements are without any documentary proof. When the plaintiff failed to prove his case in O.S.No.23/2022 by filing documentary evidence, the Court cannot declare that the plaintiff filed the suit with a malafide intention to defame the defendants and so on and so forth. Similarly, when the defendants failed to prove that they paid Rs.1 lakh to the plaintiff for payment of income tax, the Court cannot declare that the said statement was made with malafide intention to defame the

plaintiff. As already discussed above, the said statements in the written statements are relevant to the case in explaining as to how misunderstandings arisen among the parties to the suit.

35. Therefore, viewed from any angle, this Court does not find that the above statements made by the defendants are defamatory in nature and that they have published the said defamatory statements to cause damage to the plaintiff. Though, the plaintiff proved that the statements are referring to the plaintiff, but the said proof itself is not sufficient to constitute the statements actionable, in the absence of proof of other two essentials of defamation. Hence, this issue is answered against the plaintiff.

36. Additional Issue No.1 : Whether the suit is barred by limitation:

As the suit is filed seeking damages for defamation, the time limit for filing the suit is governed by Article **75 and 76** of Limitation Act. Article 75 governs the suits for compensation for ‘**libel**’ as one year from the date of publication of libel. Article 76 provides that a suit for compensation for ‘**slander**’ shall be filed within one year from the date when the words are spoken, or if the words are not actionable in themselves, when the special damage complained of results.

37. To determine, whether the suit is filed within the period of limitation, it is necessary to see the cause of action mentioned in the present suit. For better understanding, this Court inclined to extract Para No.14 of plaint, wherein the plaintiff described the cause of action to file the suit and it is as follows:

“the cause of action to file this suit arose on 16.06.2022, when such a defamatory statement was made in the written statement filed in

O.S.No.23/2022 and after pronouncement of judgment on 10.05.2023, they spread these scandalous, defamatory, derogatory remarks among the caste community to further demine and deteriorate the reputation of plaintiff and the plaintiff filed a criminal defamation against the defendants on 23.01.2024 on the file of II AJMFC, Nellore and when all the defendants used to harass the plaintiff, and caused mental agony, damage, his honour and reputation in the eye of public by using defamatory words.”

38. Thus, as seen from the entire pleadings and the cause of action mentioned in Para No.14, according to plaintiff, the cause of action arose on 16.06.2022 the date of filing of Written statements by the defendants in O.S.No.23/22 and after pronouncement of judgment on 10.5.2023 when the defendants spread the scandalous statements, and also 24.01.2024 the date of filing of criminal defamation against the defendants. In this regard, at the outset the date of filing criminal defamation is not a criteria in computation of limitation to file the suit for compensation. Under Article 75, the date of publication of ‘libel’ is the consideration and Under Article 76 the date when the defamatory words spoken, is the consideration.

39. Whether the suit is within limitation as per Article 75.

It is an admitted fact that the defendants filed written statement in O.S.No.23/2022 on 16.06.2022. Thus, the suit for compensation for defamation shall be filed within one year from 16.06.2022, but the suit is filed on 02.02.2024. Hence, the suit filed basing on libel, is barred by limitation.

40. Whether suit is within limitation as per Article 76.

In this regard, the plaintiff mentioned in Para No.8 of plaint that the statements of defendants 1 and 2 is circulated in advocate community of

Nellore and other places, in Civil Courts and business community in Nellore. Further, some of the clients of plaintiff enquired with him about the statements of defendants and after pronouncement of judgment on 10.05.2023, they spread these scandalous, defamatory, derogatory remarks among the caste community to further demine and deteriorate the reputation of plaintiff. In this regard, P.W.1 did not mention in his pleadings or in his chief-affidavit about the specific date or dates on which the defendants made such defamatory statements. No doubt he need not mention in his plaint about the name of his clients who enquired with him regarding the alleged defamatory statements, but When P.W.1 was cross-examined on this aspect, he categorically stated in the cross-examination that he cannot say the names of his clients, who enquired with him about the statements of defendants. He also stated that he did not file any document to show that the defendants circulated these statements containing defamatory statements either in the advocate community, business community or the caste community. Thus, it is clear from the cross-examination dated 01.08.2025 that P.W.1 did not refer the name of any of his clients, who allegedly enquired with him. But surprisingly he got examined P.W.2, who is said to be his client to depose that the defendants made defamatory statements against the plaintiff with the said P.W.2, and he in turn enquired with P.W.1. If really, the defendants made any such defamatory statements with the P.W.2, then P.W.1 ought to have stated in his cross-examination about the name of P.W.2, who allegedly enquired with him about the said defamatory statements made by the defendants. But surprisingly, chief-affidavit of P.w.2 filed on 26.08.2025 stating that the defendants made defamatory statements against the plaintiff and he in turn enquired with PW1. The said evidence is not corroborated by P.W.1. Hence, no weight can be given to the uncorroborated evidence of P.W.2. Further, when P.W.2 was

questioned as to when the defendants made defamatory statements against plaintiff, he stated that about 1 ½ year back (to the date of his evidence) when he went to their shop, the defendants stated to him that plaintiff used to cause inconvenience to his clients and he did not pay income tax though he received amount from them. But he did not mention the same in his chief-affidavit and he admitted about the same. Hence, on careful reading of evidence of P.W.2, he did not state about the specific date, month and year on which the defendants allegedly made defamatory statement against the plaintiff and he did not specify about the names of persons, in whose presence the defendants made such defamatory statements.

41. Therefore, plaintiff failed to prove that the alleged defamatory statements said to have been made by defendants, which gives rise to cause of action for 'slander' is within the prescribed period of limitation prescribed under Article 76 of Limitation Act. It is pertinent to mention that the Court need not consider the evidence of P.W.2, as P.W.1 categorically stated that he cannot say the names of persons, who enquired with him about the alleged defamatory statements. As already discussed in issue No.1, the plaintiff failed to prove that the defendants published the defamatory statements which falls under 'Slander'. Therefore, the suit filed by plaintiff is barred by limitation under article 76 also. Accordingly, this issue is answered against the plaintiff.

42. ISSUE NO.2: In view of my foregoing discussion on issue No.1 and Additional Issue No.1, the plaintiff is not entitled to claim damages as prayed for.

43. ISSUE NO.3:

In the result, the suit is dismissed with costs.

Typed on my dictation, corrected and pronounced by me, in the Open Court, this the 06th day of August, 2026.

**Sd/- P.J.Sudha
III Addl. District Judge,
NELLORE.**

APPENDIX OF EVIDENCE
Witnesses examined

For Plaintiffs:

PW.1: Koppavarapu Pandurangaiah.
PW.2: Indela Srinivasulu Reddy.

For Defendants:

DW.1: Kota Satyanarayana.
DW.2: Kota Gurubramham.

Documents marked

For Plaintiff:

Ex.A.1	Certified copy of written statement of D.1 in O.S.No.23/2022.
Ex.A.2	Certified copy of written statement of D.2 in O.S.No.23/2022.
Ex.A.3	Office copy of legal notice dated 03.10.2023 got issued by plaintiff to the defendants 1 and 2.
Ex.A.4	Certified copy of judgment in O.S.No.23/2022.

For Defendants: Nil.

**Sd/- P.J.Sudha.
III Addl. District Judge,
NELLORE.**