Madras High Court Passes John Doe Order in Deepathoon Case

Prelims: *Current events of National and International Importance | Polity and Governance*

Why is in news?

The Madras High Court passed an injunction in the nature of ***a John Doe order*** *restraining members of the general public from calling for violation of the Supreme Court's order dated 20 November 2026 concerning the* ***lighting of the Karthigai Deepam at the Deepathoon on Thiruparankundram hill****, Madurai.*

Key Details

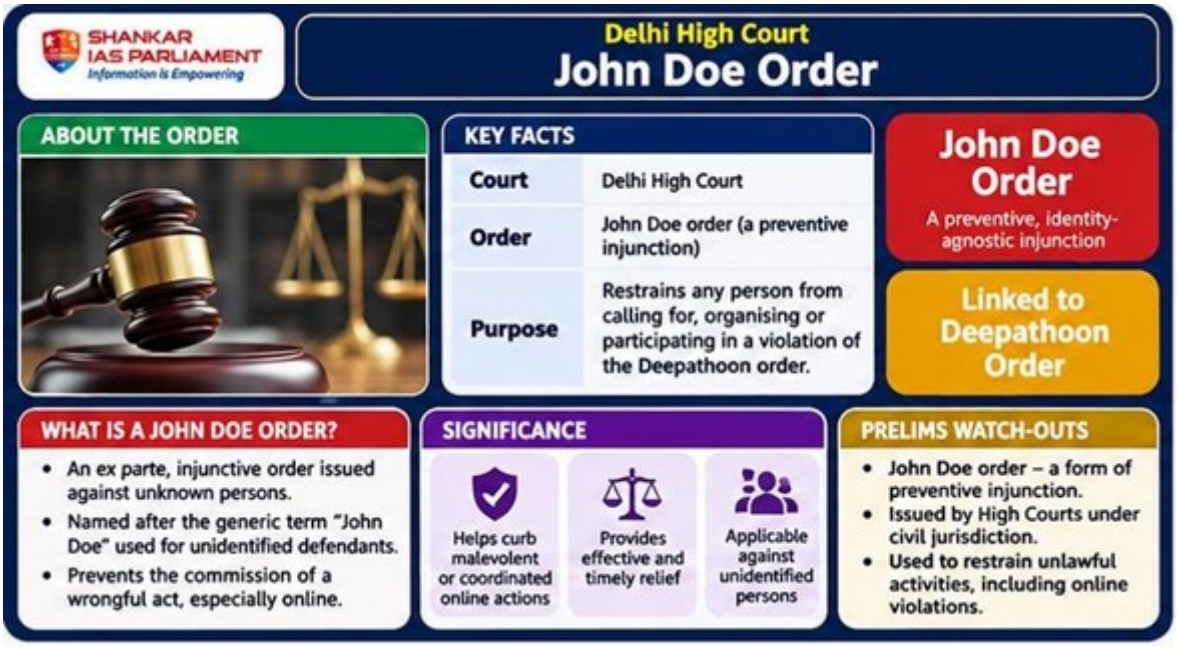
- The order was passed by a Division Bench of the Madurai Bench of the Madras High Court comprising Justice G.R. Swaminathan and Justice M.D. Sumathi.
- The Supreme Court had permitted the lighting of the Karthigai Deepam at the stone pillar identified as Deepathoon atop Thiruparankundram hill.
- The High Court clarified that a judicial order can be criticized, even strongly; however, people cannot be permitted to openly call for its non-implementation.
- The Court held that the pendency of a review petition before the Supreme Court cannot, by itself, be cited as a reason for not complying with the Supreme Court's order.

What is a John Doe Order?

- A John Doe order is an ***injunction*** issued against unidentified or unnamed persons whose identities may not be known when the order is passed.
- It is generally used where a court seeks to prevent an act or violation by persons who cannot be individually identified in advance.
- The order can operate against members of the general public falling within the scope specified by the court.

Constitutional and Legal Provisions

- Article 144: All authorities, civil and judicial, in the territory of India shall act in aid of the Supreme Court.
- Article 25: Guarantees freedom of conscience and the right freely to profess, practice and propagate religion, subject to public order, morality, health and other provisions of Part III.
- ***Section 163 of the Bharatiya Nagarik Suraksha Sanhita*** (BNSS), 2023: Empowers an Executive Magistrate to issue orders in urgent cases of nuisance or apprehended danger.



Prelims Significance

- Distinguish between the right to criticize a judicial order and a call to disobey or obstruct its implementation.
- Article 144 creates a constitutional obligation on authorities to act in aid of the Supreme Court.
- A John Doe order may be directed against unidentified persons; it is not limited to named defendants.

Reference

- The Hindu | John Doe order