

Leishman Vs. Holland

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SooperKanoon Citation : sooperkanoon.com/776511

Court : Chennai

Decided On : Sep-03-1890

Reported in : (1891)ILR14Mad51

Judge : Muttusami Ayyar and ;Shephard, JJ.

Appellant : Leishman

Respondent : Holland

Judgement :

1. This suit stands on an entirely different footing from that which has been prosecuted by the plaintiff against the company. Here the first question is whether the statements complained of by the plaintiff, which, in themselves, are certainly defamatory, were made under circumstances conferring on the defendant any privilege; and, secondly, it has to be seen whether they were made maliciously and with knowledge on the defendant's part that they were false.

2. Agreeing with the Subordinate Judge, we are clearly of opinion that the statements were all in the nature of privileged communications, and that the plaintiff has failed to prove that the defendant believed them to be untrue when he made them or acted maliciously in making them. We dismiss the appeal with costs.