

T.C. ANKARA 3. SULH CEZA HÂK ML D. . No : 2023/12221 D.

T.C.

ANKARA

3. SULH CEZA HÂK ML

DE K KARAR

DE K NO: 2023/12221 D.

HAK M: Mustafa GÜRBÜZ 189949

KAT P: Hakan KALAYCI 253218

Talep eden Elif Uzun SÜMERCAN tarafından verilen 31/10/2023 havale tarihli dilekçesi tevzi sonucu hakimli imize gönderilmekle incelendi.

GERE DÜ ÜNÜLDÜ:

Talep eden Elif Uzun SÜMERCAN'ın 31/10/2023 tarihli dilekçesi ile dilekçesinde belirtmi oldu u URL internet adresinde ki ilik haklarının ihlal edildi inden bahisle eri imin engellenmesi, içeriklerin yayından çıkarılması ve arama motorundan kaldırılması talebinde bulunmu tur.

Hakimli imize sunulan evrakların incelendi inde;

<https://twitter.com/Veyssel1909/status/1603365204145889282>

<https://x.com/Veyssel1909/status/1603365204145889282>

https://twitter.com/MusaUYAR_EU/status/1413797726282731520

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<https://twitter.com/bulentbeyoglu35/status/1700615519152361560>

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<https://x.com/tutuklugeneral/status/1604333153786548226>

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<https://x.com/avennooss/status/1603520434745614338>

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<https://x.com/vezirpirmagi01/status/1603490150301982729>

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<https://x.com/SonDemirLeydi/status/1454956648833839106>

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<https://x.com/AdilYarg3/status/1332307715738263553>

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<https://x.com/ServetTanoglu/status/1331986480617676800>

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<https://x.com/ozguradamm1/status/1331935505311813634>

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<https://x.com/serbestanaliz/status/1331813564349296640>

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<https://x.com/ZamanAvustralya/status/1331915831597551616>

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https://x.com/barla_61/status/1332267767991574529

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<https://x.com/suratlice/status/1700577370669744337>

<https://twitter.com/Mustafa22741045/status/1635727686403325953>

<https://x.com/Mustafa22741045/status/1635727686403325953>

https://twitter.com/Erhan_Dogan23/status/1604748131815628800

https://x.com/Erhan_Dogan23/status/1604748131815628800

<https://twitter.com/15TemGercekleri/status/1537946489221066753>

<https://x.com/15TemGercekleri/status/1537946489221066753>

https://twitter.com/_Yeniden_/status/1607445398834262016

https://x.com/_Yeniden_/status/1607445398834262016

<https://twitter.com/GaribMunzevice/status/1570135823932178434>

<https://x.com/GaribMunzevice/status/1570135823932178434>

https://twitter.com/Harbiye_Ruhu/status/1471349424043577344

https://x.com/Harbiye_Ruhu/status/1471349424043577344

<https://twitter.com/savunmalar/status/1395954764475686915>

<https://x.com/savunmalar/status/1395954764475686915>

<https://twitter.com/muhittinakgul/status/1491755634999582722>

<https://x.com/muhittinakgul/status/1491755634999582722>

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<https://x.com/muhittinakgul/status/1500051853152854017>

<https://twitter.com/Nesimde/status/1700621769093120069>

<https://x.com/Nesimde/status/1700621769093120069>

<https://twitter.com/Nesimde/status/1700622181925855668>

<https://x.com/Nesimde/status/1700622181925855668>

https://twitter.com/aktif_haber/status/1331922146168193025

https://x.com/aktif_haber/status/1331922146168193025

<https://x.com/readmeyer/status/1332019610414039040>

<https://twitter.com/BIRSENBIRBENM1/status/1380335256247566341>

<https://x.com/BIRSENBIRBENM1/status/1380335256247566341>

https://twitter.com/tr_hbr/status/1413821257540415489

https://x.com/tr_hbr/status/1413821257540415489

<https://x.com/Zelion41/status/1332281582657425412>

<https://x.com/Ademoglu272020/status/1340344211833565187>

<https://x.com/phdmecheng/status/1332361484949655558>

<https://x.com/umtvzdrp/status/1332347805956976642>

<https://x.com/MelekLeyla2/status/1332456987351805953>

<https://x.com/Betldilber4/status/1332019396169043968>

<https://x.com/Trueman56670842/status/1332382580944105477>

<https://x.com/alikara38559159/status/1332375698258997250>

Yukarıda yazılı URL internet adresinde; yayımlanan içeriklerde talep edenin adının kullanılarak, hakaret içerikli ve itibarı zedeleyecek paylaşımlara yer verilmesi suretiyle kişilik haklarının ihlal edildiği kanaatine varılmakla talebine kabulüne,

<https://twitter.com/ennur37343179/status/1332141272719642625>

<https://x.com/ennur37343179/status/1332141272719642625>

<https://twitter.com/LatifErkan6/status/1366889467055906822>

<https://x.com/LatifErkan6/status/1366889467055906822>

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<https://x.com/RofaydaButler/status/1341866543060291586>

https://www.youtube.com/watch?v=YtWOIwO_8KY

<https://www.youtube.com/watch?v=pO8ZVcqjxkE>

<https://dakikhaberleri.blogspot.com/2020/11/kultur-ve-turizm-bakanligina-iskenceci.html>

<https://www.boldapp.de/2020/11/26/kultur-ve-turizm-bakanligina-iskenceci-daire-baskani-elif-sumercan/>

<https://www.patreon.com/posts/isimlerle-ve-44476094>

<https://yokokadar.com/home-1/f/ya-fa-izmi-yenece-iz-ya-fa-izmi-yenece-iz-ya-fa-izmi-yenece-iz>

Yukarıda yazılı URL internet adresinde; dilekçesinde sundu u eklerde eri imin engellenmesi talep edilen linkin URL adresi görünür ekilde ekran görüntüsünün bulunmadı ı, dolayısıyla talebe yönelik Hakimli imizce gerekli denetimin yapılamayaca ı anla ılmakla talebin reddine

https://x.com/Noctis_In_Dies/status/1339669253037944833

https://twitter.com/Noctis_In_Dies/status/1339669253037944833

<https://twitter.com/EmreOza87429709/status/1339939763130908675>

<https://x.com/EmreOza87429709/status/1339939763130908675>

https://twitter.com/omermer_/status/1332438246903734276

https://x.com/omermer_/status/1332438246903734276

https://twitter.com/oz_tebaa/status/1332270899798667266

https://x.com/oz_tebaa/status/1332270899798667266

<https://twitter.com/Emil22935102/status/1331920818318811136>

<https://x.com/Emil22935102/status/1331920818318811136>

<https://twitter.com/tcbestepe13/status/1700749869898485854>

<https://x.com/tcbestepe13/status/1700749869898485854>

<https://twitter.com/bulentceyhan/status/1372126793063358464>

<https://x.com/bulentceyhan/status/1372126793063358464>

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<https://twitter.com/GalibLemi/status/1603395000015921157>

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<https://twitter.com/GalibLemi/status/1533039424958775301>

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Yukarıda yazılı URL internet adresinde; yayımlanan içeriklerde talep eden yönünden a ır ele tiri, kaba hitap ve söz niteli indeki payla ımların yer alması nedeniyle ki ilik haklarının ihlal edilmedi i de erlendirilmekle talebin reddine,

Her ne kadar talep eden içeri in arama motorundan çıkartılması talebinde bulunmu ise de; 5651 Sayılı Kanunun 9.maddesinin 10.fıkrası uyarınca " nternet ortamında yapılan yayın içeri i nedeniyle ki ilik hakları ihlal edilenlerin talep etmesi durumunda hâkim tarafından, ba vuranın adının bu madde kapsamındaki karara konu internet adresleri ile ili kilendirilmemesine karar verilebilir." ekinde düzenlemenin bulundu u ancak talep eden tarafından hangi arama motorları üzerinde kaldırma talep edildi inin bildirilmedi i anla ılmakla talebin bu yönden reddine karar vermek gerekmi , a a ıdaki hüküm kurulmu tur.

Evrak incelendi.

KARAR; Yukarıda açıklanan gerekçe altında;

Talebin kısmen KABUL kısmen REDD ile

<https://twitter.com/Veyssel1909/status/1603365204145889282>

<https://x.com/Veyssel1909/status/1603365204145889282>

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2-Kararın ER M SA LAYICILARI B RL NE GÖNDER LMES NE,

3-Sair talebin REDD NE

4-Kararın talep edene tebli ine,

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Katip 253218

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