



Evrak 5070 sayılı Elektronik İmza Kanununa göre imzalanmıştır.

T.C.

ANKARA

1. SULH CEZA HÂKİMLİĞİ

**TÜRK MİLLETİ ADINA
DEĞİŞİK İŞ KARAR**

DEĞİŞİK İŞ NO : 2020/3740

HÂKİM : Sezer SÖYLEMEZ 40958

KÂTİP : Hüseyin SERTKAYA 185923

TALEP EDEN : Ramazan ÇAĞLAYAN

TALEP TÜRÜ : İnternet içeriğine erişimin engellenmesi talebi

TALEP TARİHİ : 09/06/2020

KARAR TARİHİ : 09/06/2020

Talep eden Ramazan ÇAĞLAYAN 09/06/2020 havale tarihli internet içeriğinin erişiminin engellenmesi talepli dilekçesi nöbetçi olan Hâkimliğimize sunulmuş olmakla, dilekçe ve ekindeki belgeler incelendi.

GEREĞİ DÜŞÜNÜLDÜ:

Talep eden Ramazan ÇAĞLAYAN 09/06/2020 havale tarihli dilekçesi ile;

1. <http://www.idare.gen.tr/ramazancaglayan-com-cevap.htm>.

2. https://books.google.com.tr/books/about/Ramazan_%C3%87a%C4%9Flayan_%C4%B1n_%C4%B0dari_Yarg%C4%B1lama.html?id=uv_inQEACAAJ&redir_esc=y

3. http://www.kral71.com/haber_detay.asp?haberID=3889

4. http://www.kral71.com/haber_detay.asp?haberID=4095

5. http://www.kral71.com/haber_detay.asp?haberID=3917

6. <http://kral71.com/popup/haber-yazdir.asp?haber=3917&resim=True>

7. http://www.kral71.com/haber_detay.asp?haberID=3932

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<https://books.google.com.tr/books?id=K2hJAgAAQBAJ&pg=PR7&lpg=PR7&dq=ramazan+%C3%A7a%C4%9Flayan&source=bl&ots=TIwdVYDKkp&sig=ACfU3U1K6lO0Oj2tcAdLV1YK-EibZyhprA&hl=tr&sa=X&ved=2ahUKEwizsjnrN7pAhWRa8AKHWuPAO84RhDoATAIegQIChAB#v=onepage&q=ramazan%20%C3%A7a%C4%9Flayan&f=false>

9. <https://books.google.com.tr/books?id=K2hJAgAAQBAJ&printsec=frontcover&#v=onepage&q&f=false>

10.

<http://www.anayasa.gen.tr/uas-s-1-58.pdf>

11. <http://www.anayasa.gen.tr/uas-s-59-174-kucuk.pdf> s.167.

12. <http://www.anayasa.gen.tr/uas-s-59-174-kucuk.pdf> s.167.

12.

<http://katalog.iku.edu>.



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29039/ada?qu=G%C3%B6zler%2C+Kemal&qf=SUBJECT%09Konu%
09Administrative+jurisdiction%09Administrative+jurisdiction&ic=true

13. <https://eksisozluk.com/kemal-gozler--1389826?p=2>

14.

<https://www.goodreads.com/book/show/40868056-ramazan-a-layan-n-i-dari-yarg-lama-hukuku-i-simli-kitab-hakk-nda-ele>

15.

[https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%](https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=KIDZwn1lgoMNdM)

[9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=KIDZwn1lgoMNdM](https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=KIDZwn1lgoMNdM)

16.

[https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%](https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=oBpM0tfQoa6btM)

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17. [https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%](https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=GHgviigPh1uZpM)

[9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=GHgviigPh1uZpM](https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=GHgviigPh1uZpM)

18. [https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%](https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=n3tUu_hmBWY3wM)

[9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=n3tUu_hmBWY3wM](https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=n3tUu_hmBWY3wM)

19. [https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%](https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=wkJRBoDUwJLQoM)

[9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=wkJRBoDUwJLQoM](https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=wkJRBoDUwJLQoM)

20. [https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%](https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=EmRHW1_OyFzDrM)

[9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=EmRHW1_OyFzDrM](https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=EmRHW1_OyFzDrM)

21. [https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%](https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=XmuiEqDjer8nJM)

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[9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=XmuiEqDjer8nJM](https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=XmuiEqDjer8nJM)

[9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=XmuiEqDjer8nJM](https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=XmuiEqDjer8nJM)

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23. [https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%](https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEA)

9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEA E&biw=1920&bih=903#imgcr=L9dfflSYaG5NXM adlı URL adreslerinde kişilik haklarına saldırı mahiyetinde ifade ve görüntüler kullanıldığı gerekçesi ile içeriğin yayından kaldırılması talebinde bulunmuştur.

Dilekçe ve eklerinde yer alan talebe konu bilgi ve ekran görüntüsüne ait belgeler incelenmiş olup, Kırıkkale Sulh Ceza Hâkimliği ve Ankara 17. Sulh Ceza Mahkemesi'nin erişimin engellenmesi kararları ile konuya ilişkin Ankara 2. Fikri ve Sınai Haklar Hukuk Mahkemesi, Ankara Bölge Adliye Mahkemesi 20. Hukuk Dairesi ve Yargıtay 11. Hukuk Dairesi'nin kararları göz önüne alınarak, yukarıda yazılı URL adreslerinde bulunan içeriklerde talep edenin itibarı ve saygınlığının zedelenmesine neden olacak paylaşımların olduğu anlaşılmakla 5651 sayılı Kanununun 9/3-4 maddesinde belirtilen şartlar olduğundan talebin kabulüne karar vermek gerekmiş, aşağıdaki hüküm kurulmuştur.

KARAR: Gerekçesi yukarıda açıklandığı üzere;

1-Talep eden Ramazan ÇAĞLAYAN'ın talebinin **KABULÜ ile,**

1. <http://www.idare.gen.tr/ramazancaglayan-com-cevap.htm>.
2. https://books.google.com.tr/books/about/Ramazan_%C3%87a%C4%9Flayan_%C4%B1n_%C4%B0dari_Yarg%C4%B1lama.html?id=uv_inQEACAAJ&redir_esc=y
3. http://www.kral71.com/haber_detay.asp?haberID=3889
4. http://www.kral71.com/haber_detay.asp?haberID=4095
5. http://www.kral71.com/haber_detay.asp?haberID=3917
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7. http://www.kral71.com/haber_detay.asp?haberID=3932
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9. <https://books.google.com.tr/books?id=K2hJAgAAQBAJ&printsec=frontcover&#v=onepage&q&f=false>
10. <http://www.anayasa.gen.tr/uas-s-1-58.pdf>
11. <http://www.anayasa.gen.tr/uas-s-59-174-kucuk.pdf> s.167.
12. [http://katalog.iku.edu.tr/client/tr_TR/default/search/detailnonmodal/ent:\\$002f\\$002fSD_ILS\\$002f0\\$002fSD_ILS:29039/ada?qu=G%C3%B6zler%2C+Kemal&qf=SUBJECT%09Konu%09Administrative+jurisdiction%09Administrative+jurisdiction&ic=true](http://katalog.iku.edu.tr/client/tr_TR/default/search/detailnonmodal/ent:$002f$002fSD_ILS$002f0$002fSD_ILS:29039/ada?qu=G%C3%B6zler%2C+Kemal&qf=SUBJECT%09Konu%09Administrative+jurisdiction%09Administrative+jurisdiction&ic=true)
13. <https://eksisozluk.com/kemal-gozler--1389826?p=2>
14. <https://www.goodreads.com/book/show/40868056-ramazan-a-layan-n-i-dari-yarg-lama-hukuku-i-simli-kitab-hakk-nda-ele>
15. [https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%](https://www.google.com/search?safe=strict&sxsrf=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEA)



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9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=oBpM0tfQoa6btM

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23. <https://www.google.com/search?safe=strict&sxsr=ALeKk03hhzncys5I3-npWKKobehdoCvv0g:1591646435074&source=univ&tbm=isch&q=ramazan+%C3%A7a%C4%>

9Flayan+kimdir&sa=X&ved=2ahUKEwiWg_uCgfPpAhXxwsQBHaiOAlkQsAR6BAgKEAE&biw=1920&bih=903#imgcr=L9dfflSYaG5NXM adlı adreslere 5651 sayılı Kanunun 9/3-4 maddeleri uyarınca **ERİŞİMİN ENGELLENMESİNE,**

2-Kararın talep edene tebliğine,

3-5651 sayılı Yasanın 6/A-7 ve 9/5 maddeleri uyarınca; işbu kararın bir örneğinin gereği yerine getirilmek üzere UYAP üzerinden derhal **ERİŞİM SAĞLAYICILARI BİRLİĞİ'NE GÖNDERİLMESİNE,** (Erişim Sağlayıcıları Birliği ile UYAP arasında otomasyon mevcut olduğundan işbu karar onaylandığında elektronik ortamda



gönderilecektir.)

(5651 sayılı Yasanın 6/A-7 maddesinde belirtildiği üzere Erişim Sağlayıcıları Birliği'ne yapılan tebligat erişim sağlayıcılara yapılmış sayılır.)

Dair; 7 gün içerisinde Hâkimliğimize verilecek bir dilekçe veya zabıt kâtibine yapılacak beyanın tutanağa geçirilmesi suretiyle Ankara 2. Sulh Ceza Hâkimliğine itirazı kabil olmak üzere karar verildi. 09/06/2020

Kâtip 185923

 ***E-imzalıdır.***

Hâkim 40958

 ***E-imzalıdır.***

