

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN**

**TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937**

**WP(C).No. 6204 of 2013 (A)**  
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**PETITIONER:**  
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**KERLA FILM EXHIBITORS FEDERATION,  
REP. BY ITS PRESIDENT,  
P.V BASHEER AHAMMED,  
C.P BUIOLDING,  
KALABHAVAN ROAD,  
ERNAKULAM, COCHIN 682 018.**

**BY ADV. SRI.T.G.RAJENDRAN**

**RESPONDENT(S):**  
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- 1. KERALA CINE EXHIBITORS ASSOCIATION,  
REP.BY ITS SECRETARY 2ND FLOOR,  
KERALA FILM CHAMBER BUILDING, M.G ROAD, COCHIN 682 035**
- 2. FILM DISTRIBUTORS ASSOCIATION(KERALA)  
REP.BY ITS GENERAL SECRETARY  
DOOR NO CC 41/1604 A, SOPANAM SQUARE,  
ARANGATH CROSS ROAD, COCHIN 682018.**
- 3. KERALA FILM PRODUCERS ASSOCIATION,  
REP.BY ITS SECRETARY  
KERALA FILM CHAMBER BUILDING, 2ND FLOOR M.G ROAD COCHIN 682 035**
- 4. KERALA CHALACHITRA ACADEMY,  
REP BY ITS SECRETARY,  
SASTHAMANGALAM, THIRUVANANTHAPURAM 695 010.**
- 5. COMPETITION COMMISSION OF INDIA,  
REP BY ITS SECRETARY,  
ROOM NO 307, B-WING HUDCO VISHALA 14  
BHIKAJI CAMA PLACE, NEW DELHI 110066.**
- 6. DIRECTOR GENERAL,  
OFFICE OF THE DIRECTOR GENERAL,  
COMPETITION COMMISSION OF INDIA, ROOM NO 307  
B-WING, HUDCO VISHALA 14, BHIKAJI CAMA PLACE, NEW DELHI 110066**

7. STATE OF KERALA,  
REP BY SECRETARY,  
CULTURAL AFFAIRS, THIRUVANANTHAPURAM -695001.

R1 BY ADV. SRI.GEORGE POONTHOTTAM  
R2 BY ADV. SRI.PRADEESH CHACKO  
R5 & R6 BY ADV. SRI.N.NAGARESH,ASG OF INDIA  
R5-R6 BY ADV. SRI.ARUN K.ANTONY  
R7 BY GOVERNMENT PLEADER SRI.S.JAMAL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD  
ON 28-07-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

vmr.

**WP(C).No. 6204 of 2013 (A)**  
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**APPENDIX**

**PETITIONER'S EXHIBITS:**  
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**EXHIBIT P1- COPY OF THE ORDER OF THE 5TH RESPONDENT DATED 21/01/2013.**

**EXHIBIT P2- COPY OF THE NOTICE ISSUED BY THE 6TH RESPONDENT TO THE  
PETITIONER DATED 21/02/2013.**

**RESPONDENTS EXHIBITS:   NIL.**  
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**/TRUE COPY/**

**P.S.TO JUDGE**

**vmr.**

K. Vinod Chandran, J

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W.P.(C).No.6204 of 2013-A  
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Dated this the 28<sup>th</sup> day of July, 2015

**JUDGMENT**

The writ petition has been filed seeking to quash Exhibits P1 and P2. Exhibit P1 is the order passed by the Competition Commission of India, in Case No.45 of 2012, taking cognizance of the complaint filed by the 1<sup>st</sup> respondent herein. In Exhibit P1, there was a *prima facie* finding entered and an investigation was ordered in the matter. The matter was accordingly referred for carrying out such investigation. Exhibit P2 notice was also issued to the petitioner.

2. The learned counsel appearing for respondents 5 and 6 produces before me two orders passed under Section 27 and 43 of the Competition Act, 2002. The copies of the same are handed over to the learned counsel appearing for the petitioner. The petitioner would be left open the remedies to challenge the said orders.

Resultantly, the writ petition would stand closed, leaving open the remedies available to the petitioner to challenge the orders passed under Sections 27 and 43 of the Act. Parties are left to suffer their respective costs.

**Sd/-**

K.Vinod Chandran  
Judge.

vkul/-

[ true copy ]