

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 15.04.2015

CORAM:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice T.S.SIVAGNANAM

W.A.Nos.633 and 634 of 2015
and
M.P.Nos.1 and 1 of 2015

Sundarraaj ... Appellant in both WAs/2nd Respondent
in W.P.No.27416 of 2012/Petitioner in
W.P.No.30443 of 2012

versus

The District Collector
(Licensing Authority)
Office of the District Collector,
Krishnagiri District.

V.Rajamma ... Respondents Nos.1 and 2 in WA.No.634 of
2015/Respondent No.1 and 3 in
WA.No.633 of 2015

K.Devendran ... 2nd respondent in WA.No.633 of 2015.

Appeal filed under Clause 15 of the Letters Patent praying to set aside the order dated 23.02.2015 made in WP.Nos.27416 and 30443 of 2012, on the file of this Court praying (i) to direct the District Collector Krishnagiri to initiate appropriate action based on the representation Dated 01.9.2012 (ii) to direct the first respondent to grant renewal of C-Form license for the theatre Srinivasa theatre, Hosur to the Petitioner.

For Petitioner : Mr.A.Chidambaram

O R D E R

(The Order of the Court was made by The Hon'ble The Chief Justice)

The undisputed fact is that the C-Form license to run the Srinivasa theatre, Hosur, which stood originally in the name of the father of the appellant was subsequently renewed in the name of the mother on the demise of the father in the year 1983. It appears that the family dispute started much later and the mother also was not interested in getting the renewal of the license in her name, while the appellant claimed that since he was practically running the cinema theatre, the license should be issued in his name as renewal in the name of the mother was on behalf of the joint family and he was the 'Karta'.

2. The impugned order has rejected the contention of the petitioner and disposed of both the writ petitions - filed by the petitioner and by the mother/second respondent with a direction that the Collector should be approached for consideration and the mother would always be at liberty to get the license renewed in her favour.

3. Learned counsel for the appellant states that the subsequent development is that now the mother wants the renewal of the license in her name and the appellant is satisfied with it.

4. If that be the position, we see really no impediment in renewal of the license in the name of the mother and accordingly dispose of the appeals. No costs. Consequently, M.P.Nos.1 and 1 of 2015 are closed.

Sd/-
Assistant Registrar

//True Copy//

ksr

Sub Assistant Registrar

Copy to

The District Collector
(Licensing Authority)
Office of the District Collector,
Krishnagiri District.

+2cc's to Mr.A.Chidambaram, Advocate, S.R.No.20467

W.A.Nos.633 and 634 of 2015

KU(CO)
CA(16/04/2015)