

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

WRIT PETITION NO.23924 OF 2010

DATED 28th SEPTEMBER, 2015

Between:

Liberty Theatre, Guntur

.. Petitioner

and

Government of Andhra Pradesh rep. by its
Secretary, Home, Hyderabad and another

.. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.23924 OF 2010

ORDER

This writ petition was filed by a theatre situated at Guntur aggrieved by the proceedings dated 19.02.2010 issued by the Joint Collector and Licensing Authority, Guntur, directing it to stop screening of movies. The reason for such direction was that the petitioner had not provided minimum safety measures as per Rule 17 of the A.P. Cinemas (Regulation) Rules, 1970.

By order dated 05.10.2010, this Court took note of the fact that the petitioner-theatre had effected repairs basing on the earlier reports of the authorities and that the Executive Engineer, R & B Division, Guntur, and the Deputy Electrical Inspector, Guntur Sub-Division, addressed letters to the District Collector, Guntur, on 03.03.2010 and 12.03.2010 informing him that the defects pointed out earlier had been rectified by the petitioner-theatre, and accordingly granted interim suspension of the impugned order. This Court however made it clear that if any specific defect was noticed in the structure, it should be pointed out to the petitioner-theatre which would immediately rectify the same so as to ensure protection and safety of the cine-goers.

Sri K. Durga Prasad, learned counsel for the petitioner-theatre, informed this Court that its licence was thereafter renewed during the year 2013 and that the petitioner-theatre is currently operating.

No counter-affidavit has been filed by the respondent authorities despite a lapse of over five years, but this Court sees no purpose served in keeping the writ petition pending awaiting their response.

As the petitioner-theatre claims to have rectified all the defects

pointed out earlier in relation to fire safety measures and as the authorities concerned also confirmed this aspect as long back as in March, 2010, the writ petition is allowed setting aside the proceedings dated 19.02.2010 issued by the Joint Collector and Licensing Authority, Guntur. However, this order shall not preclude the respondent authorities from causing inspection of the petitioner-theatre as and when necessary to verify as to whether sufficient fire safety measures have been put in place and in the event any deficiency is noticed in this regard, the petitioner-theatre shall be asked to make good the same in accordance with law.

Pending miscellaneous petitions shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

28th SEPTEMBER, 2015

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