

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.9117 OF 2012

DATED 24th JUNE, 2015

Between:

J. Mohammed Shafi and others

.. Petitioners

and

The District Collector, Kurnool
District and others

.. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.9117 OF 2012

ORDER

The grievance of the petitioners in this case was that the District Collector, Kurnool District, and the Revenue Divisional Officer, Kurnool District, being the authorities under the Andhra Pradesh Cinemas (Regulation) Act, 1955, and the rules framed thereunder, renewed the licence of Nabi Touring Talkies, Kodumur Village, Kurnool District, without the petitioners' consent though they were joint owners of the land in Sy.No.164/1 of Kodumur Village, wherein the theatre is being run by the third respondent. They sought a consequential direction to the authorities to dispose of their representations.

The Revenue Divisional Officer, Kurnool District, filed a counter-affidavit stating that the petitioners had initially submitted representation dated 08.12.2010 requesting them not to renew the B-Form licence of Nabi Touring Talkies, Kodumur Village, on the ground that there was a property dispute. However, no documentary evidence was placed before the authorities in support of the petitioners' claim. The B-Form licence of Nabi Touring Talkies, Kodumur Village, was stated to have been renewed up to 31.12.2011. This fact was also said to have been informed to the petitioners under letter dated 16.04.2011.

It appears that the petitioners thereafter addressed fresh representations dated 18.04.2011 and 08.12.2011 to the authorities and their grievance is that there was no action taken thereupon.

This Court is however of the opinion that this writ petition is rendered infructuous as the renewal, which was challenged at the point of time when this case was instituted, has worked itself out. In the event

any further renewals were granted to Nabi Touring Talkies, Kodumur Village, Kurnool District, the same would constitute a fresh cause of action and the same cannot be made the subject matter of consideration in this writ petition.

In that view of the matter, this writ petition is dismissed leaving it open to the petitioners to take recourse to appropriate remedies in accordance with law in the event any cause of action arose after the institution of this writ petition. Pending miscellaneous petitions shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

24th JUNE, 2015

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