

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A.No.1613 of 2017
and
CMP.No.21100 of 2017

Mr.A.Subramani ... Appellant/Petitioner
Vs.

1. The Principal Secretary to Government,
Home (Cinemas) Department,
Fort St. George,
Chennai 600009.
2. The Additional Commissioner of Land Administration
(Cinemas)
Ezhilagam, Chepauk,
Chennai 600 005.
3. The District Collector,
The Nilgris District,
Ooty ..Respondents/Respondents

Prayer: Writ Appeal filed under Clause 15 of Letter Patent Act,
against the order dated 07.09.2017 made in W.P.No.16312 of
2012.

PRAYER IN WP.16312 OF 2012:

Petition filed Under Article 226 of the Constitution of India to issue writ of Certiorarified mandamus, calling for the records of the proceedings of the 1st respondent dated 25.11.2011 made in GO (D) NO.1154, HOME (Cinemas) Department confirming the orders of the 2nd respondent dated 22.2.2011 made in L3/CA11/2009 and the orders of the 1st respondent dated 27.4.2010 made in C3/15859/2010 and quash the same consequently direct the 3rd respondent to issue "C" Form Licence to the petitioner so as to enable the petitioner to run the existing theatre "Kalaimahal Theatre" at Aruvankadu, The Nilgiris District

For Appellant : Mr.S.Thirumavalavan
For Respondents : Mr.V.Anandhamurthy
Additional Government Pleader

J U D G M E N T

(Order of the Court was made by K.K.SASIDHARAN, J.)

The learned counsel for the appellant made an endorsement indicating that he is withdrawing the intra court appeal with liberty to submit a fresh application for 'C' form licence.

2. In view of the endorsement so made, the intra court appeal is dismissed as withdrawn, with such liberty. However, we make it clear that the expression "liberty" should not be construed to be an expression of opinion on the merits of the matter. It is open to the competent authority to consider the application as a fresh application for 'C' Form licence. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government,
Home (Cinemas) Department,
Fort St. George,
Chennai 600009.
2. The Additional Commissioner of Land Administration
(Cinemas)
Ezhilagam, Chepauk,
Chennai 600 005.
3. The District Collector,
The Nilgris District, Ooty.

+lcc to Mr.S.THIRUMAVALAVAN, Advocate, S.R.No.13128

+lcc to the Government Pleader, S.R.No. 13665

W.A.No.1613 of 2017

KK(CO)
TR(14/03/2018)