

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.11470 OF 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking verbatim the following reliefs:

“to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declare the action of the respondents in not permitting the petitioners to run their theaters as per the rates mentioned in their applications though the G.O.Ms.No.100, dt.26-04-2013 issued by the 1st respondent is set aside by virtue of orders passed in W.P.No.18779 of 2014 and batch dt.31-10-2016 allowing the cinema theatres to run as per the rates informed to the licensing authority as illegal and arbitrary and to permit the petitioners to collect price deemed appropriate by them as per their applications dt.29-01-2018.”

2. I have heard the submissions of Sri P.B.Vijaya Kumar, learned counsel for the petitioners, of learned Government Pleader for Home (A.P.), appearing for respondent No.1, and of learned Government Pleader for Revenue (A.P.), appearing for respondent No.2. I have perused the material record.

3. Learned counsel for the petitioners fairly submits that while submitting the application, dated 29.01.2018, no acknowledgment has been obtained. He also further submits that a fresh application has, however, been submitted by the petitioners, on 17.04.2018, and an acknowledgment was obtained. He brings to the notice of this Court an order of this Court, dated 15.02.2018, passed by this Court in W.P.No.4774 of 2018, a copy of which is placed on record. He also brings to the notice of this Court the order, dated 04.04.2018, passed by this Court in W.P.No.11054 of

2018 and submits that if a similar order is passed in this case, the ends of justice would be met, as the facts of the present case are akin to the facts of the aforestated cases.

4. Learned Government Pleader for Home submits that for every picture, an order has to be obtained and a blanket order for all the films to be released on the screens of the petitioners for the whole year cannot be obtained. He also submits that the increase in rates is 100%.

5. It is not in dispute that this Court granted orders in cases where the increase in rates is more than 100%. Having gone through the earlier orders of this Court and having considered the facts and circumstances of this case, this Court is satisfied that the order similar to the order which was granted in W.P.Nos.19046 of 2014 and 11054 of 2018, can be granted and such an order, if granted, would meet the ends of justice.

6. Accordingly, having regard to the facts and submissions, and for the reasons alike as were mentioned in the orders in W.P.No.19046 of 2014 & batch and W.P.M.P.No.16343 of 2017 in W.P.No.18779 of 2014, this Writ Petition is disposed of in terms of the afore-stated orders. Office is directed to enclose copies of the afore-stated order, dated 31.10.2016, in W.P.No.19046 of 2014 and batch; and order, dated 13.04.2017, in W.P.M.P.No.16343 of 2017 in W.P.No.18779 of 2014 to this order. There shall be no order as to costs.

Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE M.SEETHARAMA MURTI

Date: 20.04.2018
AMD



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