

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

FRIDAY, THE THIRTY FIRST DAY OF JULY,
TWO THOUSAND AND FIFTEEN

:PRESENT:
THE HON'BLE SRI JUSTICE **A.V.SESHA SAI**

WP .NO:23905 of 2015

Between:

1. Syamala Theatre, rep. by its Managing Partner D.Suresh Babu, S/o. Rama Naidu
2. Sri Sai Krishna Theatre, rep. by its Managing Partner, N.G.Baghava Narayana, S/o. Satyanarayana
3. Urvasi Enterprises, Rajahmundry, rep. by its Managing Partner R.Venkateswara Rao, S/o. Tatallu
4. Ashoka Mahal, Rajahmundry, rep .by its Managing Partner M.Brahma Raju, S/o. Lakshmi Narasimha Raju
5. Surya Palace & Suryamuni, Rajahmundry, rep. by its Managing Partner, M.Seetha Rama Raju, S/o. Surapa Raju
6. Devi Multiplex, Kakinada, rep. by its Managing Partner, D.Bhaskar Reddy, S/o. Reddy
7. Tirumala Theatre, Kakinada, rep. by its Managing Partner G.Veera Raju
8. Anand Complex, Kakinada, rp. By its Managing Partner Pradeep Raju
9. Padma Priya & Sri Priya Theatre, Kakinada, rep. by its Managing Partner, Nanaji
10. Chanakya Chandra Guptha Theatre, rep. by its Managing Partner, B.Mohan Rama Chandra Reddy, S/o. Krishna Reddy
11. Sri Lakshi Talkies, rep. by its Managing Partner, B.Srinivasa Rao, S/o. Bhaskar Rao
12. Veera Kamal Theatre, Kakinada, rep .by its Managing Partner S.Raja
13. Sri Venkata Ramana Theatre, Rep. by its Managing Partner Amalapuram, A.Satyanarayana Raju
14. Sri Rama Theatre, Amalapuram, rep. by its Managing Partner, S.Bangara Raju
15. Sri Venkata Ramana Theatre, rep. by its Managing Partner Amalapuram, K.Suryanarayana Raju
16. Sekhar Theatre, Amalapuram, rep. by its Managing Partner, P.Narasimha Rao, S/o Soma Sekhar Rao
17. Sri Lalitha Theatre, rep. by its Managing Partner, T.Pumari Kakusalu, S/o. Raman
18. Ambica Theatre, Mandapeta, rep. by its Managing Partner Ch.Rambabu, S/o. Veera Bhadra Rao
19. Satya Sri Palace, rep. by its Managing Partner, Chenna Rambabu,
20. Sri Raja Ratna Theatre, rep. by its Managing Partner Valluri Veera Raju
21. Sri Vijaya Talkies, Mandapeta, rep. by its Managing Partner, Sanka Sri Rama Chandra Murthy
22. Sri Surya Picture Palace, Mandapeta, rep. by its Managing Partner, V.V.S.S.Chodary
23. Sri Krishna Talkies, Mandapeta, rep. by its Managing Partner Sanaka

Srinivasa Rao

24. Sri Rama Theatre, Tuni, rep. by its Managing Partner,
Ch.Suryanarayana Murthy, S/o. Sreerama Murthy
25. Srinivasa Theatre, Tuni, rep. by its Managing Partner, R.Srinivas
26. Sri Venkata Narayana Picture Palace, rep. by its Managing Partner
D.Sankara Rao, S/o. Suryanarayana Murthy
27. Naga Devi Picture Palace, Rajahmundry, rep. by its Managing Partner,
Pushkara Sarma

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28. Sri Lakshmi Theatre, Tatipaka, rep .by its Managing Partner
K.Suryanaidu
29. Parameswari Theatre, Katrenekonda, rep. By its Managing Partner,
R.V.S.G.Krishna Murthy.

..... Petitioners

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary,
Department of Home, Secretariat Buildings, Hyderabad.
2. The Joint Collector, Kakinada, East Godavari.

.....Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declare the action of the 1st respondent in issuing G.O.Ms.No.100 Home (General.A.1) Department, dated. 26-04-2013 by providing therein for minimum and higher ticket admission prices for Air-conditioned and Air-cooled theatres and in further notifying a price of only Rs. 10/- contrary to the recommendations made by the High Power Committee and in also fixing a minimum percentage for such category of seats as illegal, arbitrary, unconstitutional, ultra vires A.P. Cinemas (Regulation) Act, 1955 and A.P. Cinemas (Regulation) Rules, 1970.

WPMP.No. 30986 of 2015:

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Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to direct the respondents to permit the petitioner to run the theatre as per their applications dated 27-07-2015 in respect of rates for two weeks as "Srimanthudu" a new film is releasing on 07-08-2015, pending disposal of WP.No.23905/2015 on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed herein and upon hearing the arguments of Sri V.Lakshman Rao, Advocate for the Petitioners and of Asst. G.P. for Home for the Respondent No.1, the Court made the following

ORDER:

“Learned Assistant Government Pleader for Home takes notice for respondents and seeks time to get instructions.

This matter is similar to WP No. 22795/2014 and an interim direction was granted by this Court on 11-08-2014. There shall be a like order in this Writ petition as under:

“Pending further orders, the petitioners shall be permitted to collect rates as proposed by them in their applications dated: 27-07-2015, but the difference of the amount in the rates collected shall be maintained separately by the petitioners and shall be subject to further orders in the Writ Petition.

List along with WP No. 22795/2014.

Let counter affidavit be filed on behalf of Respondents”.

ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

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To

1. The Principal Secretary, Department of Home, State of Andhra Pradesh, Secretariat Buildings, Hyderabad.
2. The Joint Collector, Kakinada, East Godavari.
3. Two CCs to G.P. for Home, High Court, Hyd(OUT)
4. One CC to Sri V.Lakshman Rao, Advocate(OPUC)
5. One spare copy.

SAH

HIGH COURT

AVSSJ

DATED: 31-07-2015

**NOTE: LIST ALONG WITH
WP.NO. 22795/2014**

ORDER

W.P.NO. 23905 OF 2015

DIRECTION

DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 31-07-2015

HIGH COURT

AVSSJ

DATED: 31-07-2015

NOTE: LIST ALONG WITH
WP.NO. 22795/2014

ORDER

W.P.NO. 23905 OF 2015

DIRECTION