

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.42512 of 2018

ORDER:

Heard learned counsel for the petitioners and the learned Government Pleader for Home, apart from perusing the entire material available on record.

When the matter is taken up, it is submitted by the learned counsel for the petitioners so also the learned Government Pleader that the issue in the present Writ Petition is squarely covered by the order of this Court in W.P.No.18779 of 2013, dated 31.10.2016, and a copy of the said order is filed along with the Writ Petition as material paper. The operative portion of the said order reads as under:

*"10. Considering the facts and circumstances of the case and the interim orders passed by this Court earlier in some of the writ petitions, this Court is of the view that the present writ petitions can be disposed of with the following directions:*

- i) G.O.Ms.No.100, Home (General.A1) Department, dated 26.4.2013 is set aside.*
- ii) Both the Governments are directed to constitute their respective committees headed by the respective Principal Secretaries for Home. Insofar as the other members of the Committees are concerned, it is left open to the respective Principal Secretaries for Home to choose the exhibitors, distributors and other members to participate in the committee so as to adjudicate the issues involved in all the writ petitions.*
- iii) While taking decision, the committees are directed to consider the welfare of the cine-goers primarily and also the grievance of the exhibitors and distributors and frame the rules in accordance with law on or before 30.3.2017;*
- iv) If any decisions are taken and any G.O. is issued prior to 30.3.2017, the same shall become operative in nature.*

- v) *The petitioners-theatres are permitted to run their respective theatres by collecting their proposed fares. However, it is made clear that the petitioners shall inform to the Authorities concerned as to the ticket rates, which they intend to collect in respect of all classes till adjudication of the issues in question by the respective committees.*
- vi) *In some of the writ petitions, this Court issued interim orders permitting the petitioners therein to collect the rates as proposed in their applications, and to maintain separate account with regard to the difference amount in the rates collected by them. Those interim orders passed by this Court earlier in some of the writ petitions shall stand superseded. However, the authorities concerned are directed to take a decision with regard to the difference amounts maintained separately by the petitioners pursuant to the interim orders of this Court;*
- vii) *It is made clear that the petitioners in the writ petitions, in which there are no such earlier interim orders, shall approach the authorities concerned and inform them as to the rates of the tickets, which they intend to collect.*
- viii) *All the petitioners are directed to pay the taxes proportionate to the proposed rates of the tickets.*

Following the above said order, and for the reasons stated therein, this Writ Petition is also disposed of in terms thereof. There shall be no order as to costs.

Miscellaneous petitions, if any, shall also stand disposed of.

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A.V. SETHA SAI , J

Date: 23.11.2018

Note:

*Furnish C.C. of the order today.*

*B/o*

*DA*



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23.11.2018

DA