

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.13627 of 2019 and
WMP.No.13701 of 2019

Kambala Virutcham Trust
rep. by its Founder and
Honorary President
Mr.S.Murugaraj,
No.15C, Basheer Ahamed Layout,
Gandhi Chowk, Thali Road,
Udumalpet, Tiruppur,
Tamilnadu.

.... Petitioner

Vs.

1. Central Board of Film Certification
rep. by its Chairperson
Films Division Complex,
Phase-I Building,
9th Floor,
Dr.G.Deshmukh Marg,
Mumbai-400 026.

2. Central Board of Film Certification,
Chennai Region,
rep. by its Regional Officer,
Shastri Bhavan,
35-Haddows Road,
Chennai-600 006.

3. M/s. Studio Green rep. by
K.G. Ganavelraja,
2nd Floor, 13/6 Thanikachalam Road,
T. Nagar, Chennai-17.

.... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent herein to consider the petitioner's representations dated 10.11.2018 and 20.11.2018 and direct the 2nd respondent herein that the Certification of the Feature Film 'Devarattam' on the application submitted by the 3rd respondent herein in accordance with law after considering the objections that were raised by the petitioner herein.

For Petitioner : Mr.T.S.Rajasekaran
for M/s.S.Sarankumar

For Respondents: ...

O R D E R

This Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the second respondent herein to consider the petitioner's representations dated 10.11.2018 and 20.11.2018 and for further direction, directing the 2nd respondent herein to issue the Certification of the Feature Film 'Devarattam' on the application submitted by the 3rd respondent herein in accordance with law after considering the objections that were raised by the petitioner herein.

2. Learned Counsel appearing for the petitioner submitted that the 3rd respondent has now produced a Feature Film under the name and style of 'Devarattam' starring Goutam Karthik in the leading role. After seeing the term 'Devarattam' in the Trailer, the petitioner has presumed that the Trial Visuals of the Feature Film reveals that the story has been picturised in and around Madurai and revolves around Madurai. To change the name of the feature film as it is going to hurt the petitioner's community people inasmuch the Feature Film depicts their community people as violent ones, the petitioner has made a representation dated 10.11.2018 to the 2nd respondent. Till date, the same has not been considered by passing a final order. While so, on 13.11.2018, the 2nd respondent has also replied to the petitioner that the concerns raised by the petitioner will be kept in mind while certifying the above film or its promo materials. Again on 7.12.2018, the 2nd respondent has also replied stating the same averments as mentioned in their letter dated 13.11.2018. But, they are going to release the Film shortly. Therefore, the petitioner has come to this Court with the present Writ Petition, seeking to issue a Writ of Mandamus directing the 2nd respondent to consider the representations of the petitioner dated 10.11.2018 and 20.11.2018

3. This Court, after perusing the affidavit filed in support of the petition, is not able to make out what is the humiliation or insult the petitioner community is going to face or suffer. Nowhere in the affidavit filed in support of the petition or in the representation, the petitioner has made out a prima facie case. At the risk of repetition, it may mention herein that the petitioner has not mentioned in this petition what is the basis or foundation which has given rise to the

petitioner to entertain any apprehension that the release of the movie is going to hurt the petitioner's community. Further, in a similar Writ Petition No.13107/2019, filed at the last minute, while this Court was about to dismiss the same on 29.04.2019, the learned Senior Counsel for the petitioner therein has withdrawn the said Writ Petition with liberty to approach the appropriate Forum. Therefore, this Court finds no merit in the present Writ Petition also.

4. In the result, the Writ Petition fails and the same is accordingly dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Chairperson,
Central Board of Film Certification,
Films Division Complex,
Phase-I Building, 9th Floor,
Dr.G.Deshmukh Marg,
Mumbai-400 026.

2.The Regional Officer,
Central Board of Film Certification,
Chennai Region,
Shastri Bhavan,
35-Haddows Road,
Chennai-600 006

सत्यमेव जयते

W.P.No.13627 of 2019

MR (CO)
SP (31/05/2019)

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