

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO. 2110 OF 2019

Date:5.02.2019

Between:

Vijaya Bhaskara Talkies
Bhadrachlam Bhadradri Kothagudam District
rep by its manager N Harshavardhan

.....Petitioner

And
STATE OF TELANGANA
State of Telangana
rep by its Principal Secretary,
Home (General.A) department
Secretariat Hyderabad and others.

.....Respondents

The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

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ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Home and with their consent the writ petition is disposed of at the stage of admission.

2. By the order impugned, the request of the petitioner for reduction of seats and revision of fare was rejected.

3. According to learned counsel for petitioner, this Court in **Nataraj Theatre Vs. Govt. of Andhra Pradesh**¹ issued several directions on various aspects of running of the cinema theatres. With reference to reduction of seats, paragraph 40.5 is relevant for this case, which reads as under:

“40..... However, keeping in view the conclusions of this judgment as well as intervening circumstances, the writ petitions are disposed of with the following directions:

.....

....

5) If any licensee has reduced seating capacity in anticipation of sanction by the Licensing Authority, the Licensing Authority may inspect the theatre and give further directions as may be appropriate to avoid abuse or misuse of reduced seating capacity. This direction is in accordance with the judgment of the Division Bench of this Court in WP No.9640 of 1984 dated 30-10-1984.”

4. Apparently, the impugned decision is not in accordance with the said order. Therefore, the impugned decision is set aside to the extent of rejecting the request for reducing the seating capacity and competent authority is directed to follow the directions issued by this Court in **Nataraj Theatre**, as extracted above with reference to the request of the petitioner for reducing the seats made in his representation dated 8.1.2019 and pass appropriate orders within three

¹ 1999 (5) ALD 693

weeks from the date of receipt of copy of this order. So far as second limb of the impugned order regarding revision of fare is concerned, as fairly submitted by learned counsel for petitioner, it is open to the petitioner to pursue the remedies available to it under law, after the decision is made on the reduction of seats by competent authority or otherwise.

5. Subject to above, writ petition is disposed of. No costs. Miscellaneous petitions, if any, pending are closed.

JUSTICE P.NAVEEN RAO

Date: 5.02.2019
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