

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 28.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.11122 of 2017 and
WMP Nos.12053 & 12054 of 2017

(Heard through Video conferencing)

G.Janardhanan ... Petitioner
Vs.

1. The Government of Tamilnadu,
Rep. by its Principal Secretary,
Home (Cinema) Department,
Fort St. George, Chennai 600 009.
2. The Commissioner of Land Administration,
Ezhilagam, Chepauk, Chennai - 600 005.
3. The District Collector,
Dharmapuri District,
Collectorate Complex,
Dharmapuri - 5. ... Respondents

Writ petition filed under Section 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent in G.O.(D) No.286, Home (Cinema) Department, dated 09.03.2017 and quash the same and consequently direct the 3rd respondent to renew the C.Form licence to the petitioner for running M/s.Jayashree Theatres, Pappireddipatti.

For petitioner : Mr.T.Gowthaman

For Respondents : Mr.K.Suriya Narayanan,
Additional Government Pleader

O R D E R

This Writ Petition is filed to quash G.O.(D) No.286, Home (Cinema) Department, dated 09.03.2017 issued by the 1st respondent and for a consequential direction to the 3rd respondent to renew C-Form licence to the petitioner for running M/s.Jayashree Theatres, Pappireddipatti.

2. The petitioner has made an application for renewal of C Form licence to run the Cinema Theatre and the same was originally rejected by the District Collector, Dharmapuri

District. Aggrieved by the said rejection, the petitioner preferred an Appeal, which was also rejected by the Appellate Authority. Thereafter, the petitioner preferred a Revision against the order of the Appellate Authority. Subsequently, the aforesaid order passed in the revision was set aside and the matter was remanded to the Government for fresh consideration. Thereafter, licence was directed to be renewed in the name of the petitioner. Challenging the said order, one Swarnalatha, who was also an objector to the revision petitioner, filed W.P.No.27820 of 2013 and the same was allowed by this Court on 18.12.2015, citing the fact that no opportunity had been given to her at the time of hearing the revision and the matter was remanded to the 1st respondent for fresh consideration of the Revision Petition. In the meantime, the 3rd respondent was directed to issue temporary licence in Form-E to the petitioner. Challenging the said portion of the order directing the issuance of licence in Form-E, the said Swarnalatha filed W.A.No.227 of 2016 before this Court. By an order dated 21.02.2016, this Court allowed the Writ Appeal with a direction to the 1st respondent to hear the parties concerned and dispose of the Revision Petition. Pursuant to the same, the 1st respondent passed the impugned order in G.O.(D) No.286, Home (Cinema) Department, whereby the petitioner's application for renewal of 'C' Form licence has been rejected. Hence this Writ Petition. The said Swarnalatha, who is the Objector to the petitioner should also be made as a party to this Writ Petition.

3. However, considering the fact that the 'C' form license period issued on 12.02.2015 has expired, at this stage, no further orders are required for further adjudication in this Writ petition. It is for the petitioner to make a fresh application for consideration of issuance of 'C' Form Licence before the Authorities concerned and if such Application is made, the Authorities shall also consider the same in accordance with law.

4. In view of the above, the Writ petition is dismissed with liberty to the petitioner to file a fresh application for issuance of "C" form License before the Authorities concerned. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-III)

//True copy//

Sub Assistant Registrar

vum

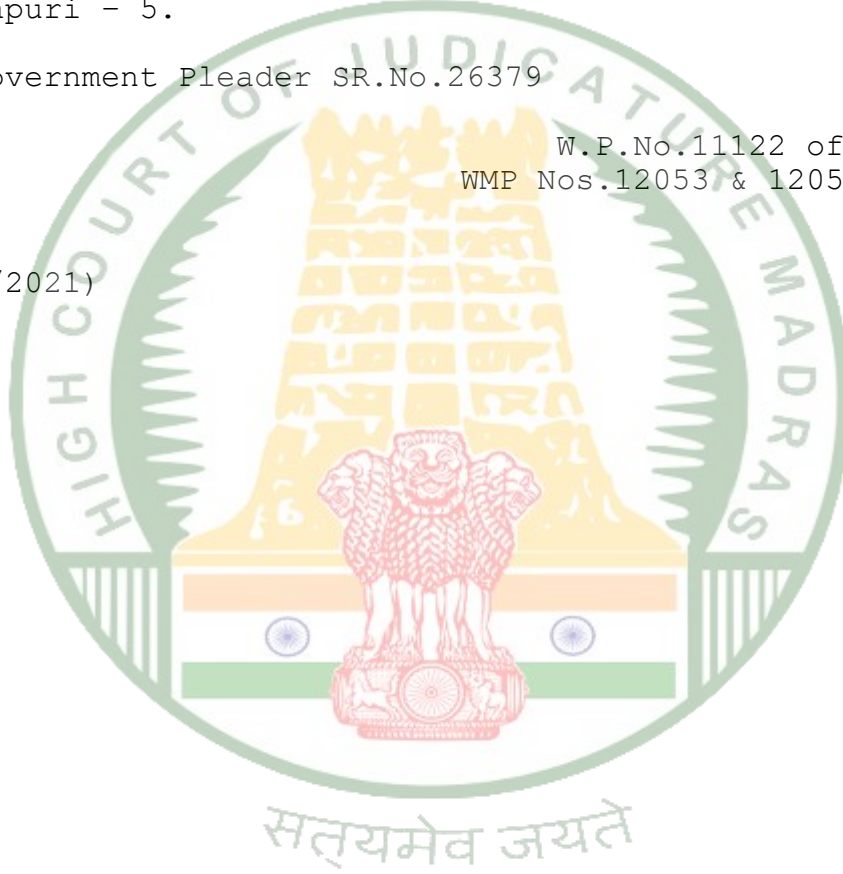
To

1. The Principal Secretary,
Home (Cinema) Department,
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2. The Commissioner of Land Administration,
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3. The District Collector,
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+1cc to Government Pleader SR.No.26379

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VBM(CO)
GMY(08/07/2021)



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