



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Tuesday, the Twentieth day of December Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

WMP(MD) No.22560 of 2022
IN
WP(MD) No.28559 of 2022

S.SARAVANAN

... PETITIONER/PETITIONER

Vs

1 THE GOVERNMENT OF TAMIL NADU
REP BY ITS SECRETARY,
HOME CINEMA II DEPARTMENT,
FORT ST.GEORGE, CHENNAI-600 009

2 THE ADDITIONAL COMMISSIONER OF LAND ADMINISTRATION,
COMMISSIONERATE OF LAND ADMINISTRATION,
EZHILIGAM, CHEPAUK,
CHENNAI

3 THE DISTRICT COLLECTOR
LICENSING AUTHORITY, NAGERCOIL,
KANYAKUMARI DISTRICT

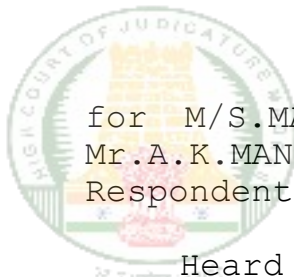
... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant an order in the nature of ad Ad-interim direction directing the 3rd respondent to issue temporary Form-E permits to the petitioner pending disposal of the present writ petition.

Prayer in WP(MD). 28559/ 2022 :

To issue a Writ of Mandamus directing the 1st respondent to pass orders on Petitioners Statutory Revision dated 16.04.2022 filed under sec 9B of the Tamil Nadu Cinemas (Regulations) Act 1955 within the time that may be stipulated by this Honble Court and consequently direct the 3rd respondent to issue Form-E temporary permit till such final determination of the Revision qua the petitioners theaters, the Chakkaravathy Theatre and Sri Mini Chakkaravathy Theatre.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.ISAAC MOHANALAL, Senior Advocate



for M/S.MAHABOOB ATHIFF.M., Advocate for the petitioner of Mr.A.K.MANIKKAM, Special Government Pleader on behalf of the Respondents, the court made the following order:-

Heard the learned Senior Counsel for the writ petitioner and the learned Special Government Pleader appearing for the respondents.

2.The petitioner's C-form license has been cancelled. Aggrieved by the same, the petitioner has filed an appeal before the second respondent and the same was dismissed. Challenging the same, the petitioner has filed the revision before the first respondent. Seeking disposal of the revision petitioner and for consequential relief, the present writ petition has been filed. In the meanwhile, the petitioner has also filed an interlocutory application for directing the first respondent to consider the issuance of Form-E temporary permit.

3.The learned Senior Counsel for the petitioner would make two fold submission. Firstly, the theatre has been functioning for the past 36 years. Only pursuant to the order passed by the second respondent, theatre is not being run. He would point out that for the last two years, the theatre owners throughout Tamil Nadu had suffered exceptional hardship. The only time they can make good their loss is during festival occasions. Since Christmas, New Year and Pongal are in the offing, if the petitioner is allowed to run the theatre, he will be able to recuperate. In these circumstances, he wants this Court to direct the first respondent to take a call in the matter as expeditiously as possible.

5.Though the learned Special Government Pleader opposed the said request, I find considerable merit in the submission of the learned Senior Counsel. I therefore direct the first respondent to consider the petitioner's application for issuance of temporary Form-E permit in favour of the petitioner. The first respondent shall pass appropriate orders within seven days from the date of receipt of a copy of this order. I make it clear that I have not gone into the merits of the matter. This Writ Miscellaneous Petition is disposed of accordingly.

5.Call the main case on 19.01.2023.

sd/-
20/12/2022

/ TRUE COPY /

21/12/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE SECRETARY,
GOVERNMENT OF TAMIL NADU
HOME CINEMA II DEPARTMENT,
FORT ST.GEORGE, CHENNAI-600 009

2 THE ADDITIONAL COMMISSIONER OF LAND ADMINISTRATION,
COMMISSIONERATE OF LAND ADMINISTRATION,
EZHILIGAM, CHEPAUK,
CHENNAI

3 THE DISTRICT COLLECTOR
LICENSING AUTHORITY, NAGERCOIL,
KANYAKUMARI DISTRICT

+1. C.C. to M/S. MAHABOOB ATHIFF M Advocate SR.No.15214

ORDER

IN

WMP (MD) No.22560 of 2022

IN

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Date :20/12/2022

Rmk

SA/VR/SAR.4/21.12.2022/3P/5C