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**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

MONDAY, THE ELEVENTH DAY OF JULY
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO: 28083 OF 2022

Between:

1. M/s. Radhika Theater, Girmajipet, Warangal, Rep. by its Managing Partner
A.Anil Kur- a Warangal District

...PETITIONER

AND

1. State of Telangana, Rep. by its Principal Secretary, Home Department
Secretariat, Hyderabad,
2. The Commissioner of Police and Licensing Authorities, Warangal.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent in not renewing B-Form licence of the petitioner Theatre as illegal, null, void or arbitrary consequently direct the Respondent No.2 to renew the B-Form license of the petitioner theatre.

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 2nd respondent not to close the theatre pending renewal of B-Form license pending disposal of the present Writ Petition.

Counsel for the Petitioner(s): SRI. K DURGA PRASAD

Counsel for the Respondents 1&2: GP FOR HOME (TG)

The Court made the following: ORDER

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI

W.P.No.28083 of 2022

ORDER

This writ petition is filed questioning the action of respondent No.2 in not renewing B-Form license of the petitioner theatre as illegal and arbitrary.

2. Learned counsel for the petitioner Mr. K. Durga Prasad submits that the petitioner is the owner of M/s Radhika Theatre, which was constructed more than 25 years back and the license that was granted to the said theatre was renewed from time to time as per the rules and earlier the petitioner was making application before expiry of the licence. He submits that originally the licensing authority was the Joint Collector and by virtue of the establishment of Police Commissionerate, the licensing power is given to the Commissioner of Police. He submits that the certificates that are required for renewal of the licence are 1. Electrical Certificate 2. Structural Soundness Certificate by R & B Department and 3. Fire Certificate. He submits that even this year also, the petitioner has made an application for renewal of licence on 26-04-2022 and he has submitted R & B Certificate, Film Chamber Certificate, Electrical Certificate, which are valid up to 2024 to 2026 and the licensing authority has issued a letter on 09-05-2022 to the concerned authorities for their remarks and requested the authorities to submit their reports by 31-05-2022. He

submits that so far no orders have been passed by the respondents and the petitioner's license is valid up to 30-06-2022. He submits that though the petitioner at the earliest point of time has approached the respondents, no action has been taken and hence, he has come up before this Court.

3. Learned Assistant Government Pleader for Home for respondent Nos.1 and 2 Mr. S. Ramamohan Rao submits that the respondent-police will consider the application for renewal of licence of petitioner theatre and pass appropriate orders in accordance with law.

4. Recording the submission of the learned Assistant Government Pleader for Home, the Writ Petition is disposed of directing respondent No.2 to consider the application of petitioner and pass appropriate within a period of two weeks from the date of receipt of a copy of this order. No order as to costs.

5. Miscellaneous petitions, if any pending in this writ petition, shall stand closed.

//TRUE COPY//

SD/-K.ONESIM
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, State of Telangana, Home Department Secretariat, Hyderabad,
2. The Commissioner of Police and Licensing Authorities, Warangal.
3. One CC to SRI. K DURGA PRASAD Advocate [OPUC]
4. Two CCs to GP FOR HOME (TG) ,High Court for the State of Telangana. [OUT]
5. Two CD Copies
6. One Spare Copy

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HIGH COURT

DATED:11/07/2022

ORDER

WP.No.28083 of 2022



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

⑧ Copies
Sm
16/8/22