



WEB COPY

W.P.No.22543 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.22543 of 2018

Mr.E.Shanmugam

... Petitioner

Vs.

1. The District Collector/ Licensing Authority,
Kancheepuram District, Kancheepuram – 631 501.

2. The Commissioner of Police,
Greater Chennai City Police,
Chennai – 600 008.

3. Mrs.Vijayalakshmi

4. SK-Marlen Theater/ SK-Marlen Cinemas

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st and 2nd respondents herein to hold, cancel or withdraw the C form Cinema license granted to the 4th respondent cinema theatre namely SK-Marlen Theatre/SK-Marlen Cinemas, Alandur, Chennai by passing orders in the representation dated 06.01.2017.

For Petitioner : M/s.Manoharan

For R1 & R2 : Mr.G.Krishna Raja,
Additional Government Pleader

For R3 : Not ready in notice



WEB COPY

W.P.No.22543 of 2



For R4

: Mr.S.Suresh

ORDER

The relief sought for in the present Writ Petition is to direct the respondents 1 and 2 to hold, cancel or withdraw the C form Cinema license granted to the 4th respondent cinema theatre namely SK-Marlen Theatre/ SK-Marlen Cinemas, Alandur, Chennai by passing orders on the representation dated 06.01.2017.

2. Admittedly, a civil dispute exist between the petitioner and the 4th respondent. More so, a family dispute between the petitioner and his father also exists. Such family disputes cannot be a ground to withdraw the license, since the 4th respondent theatre is being run by a third party. If at all the civil disputes are resolved between the parties, then alone necessary actions are to be initiated only through the competent Court of law by executing the decree and filing a Writ Petition cannot be a ground to grant the relief as such sought for in the present writ proceedings.

3. The petitioner is making an attempt to achieve his illegal motives in a indirect manner, which cannot be appreciated by this Court. He has to



adjudicate the issues in the manner contemplated and resolve the same.

Contrarily, he cannot file a Writ Petition to dispose of the representation for the purpose of withdrawal of c from cinema license, which is otherwise granted in consonance with the provisions of the Tamil Nadu Cinemas (Regulation) Act, 1955 and the rules framed thereunder. Thus, the relief as such sought for in the present Writ Petition is misconceived and the petitioner is at liberty to workout his remedy in the manner known to law.

4. Accordingly, the Writ Petition stands dismissed. No costs.

23.01.2024

skr

Index : Yes

To

1. The District Collector/ Licensing Authority,
Kancheepuram District, Kancheepuram – 631 501.
2. The Commissioner of Police,
Greater Chennai City Police,
Chennai – 600 008.



WEB COPY



W.P.No.22543 of 2

S.M.SUBRAMANIAM, J.

skr

W.P.No.22543 of 2018

23.01.2024