



W.P.No.34499 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2024

CORAM :

THE HON'BLE MR. K.R. SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE SENTHIL KUMAR RAMAMOORTHY

W.P.No.34499 of 2024

and W.M.P.No.37400 of 2024

L.Jestin Chellak Kumar

... Petitioner

-VS-

1. The District Collector,
Ariyalur, Ariyalur District.
2. The Chief Executive Engineer,
PWD Department, Ariyalur,
Ariyalur District.
3. The District Officer,
Tamilnadu Fire and Rescue Service Department,
Perambalur and Ariyalur District.
4. The Thasildar,
Jeyankondam Taluk,
Jeyakondacholapuram, Ariyalur District.
5. M/s.C.R.Palace Theatre A/c,
National Highways 227, Jeyankondam,
Near J.K.Plaza, Jeyankondam Taluk,



W.P.No.34499 of 2024

Jeyakondacholapuram, Ariyalur District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to direct the respondents 1 to 4 to take action against the 5th respondent theater for running the theater without safety measures for public and ensure public safety in the 5th respondent theater based on petitioner's representation dated 27.09.2024.

For Petitioner : Ms.S.Gokila Santhiya
for Mr.S.Sarvagan Prabhu

For Respondents : Mr.A.Edwin Prabakar
State Govt. Pleader
Assisted by Mr.Karthik Jagannath
Govt. Advocate, for RR 1 to 4

* * * * *

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Petitioner is alleging that the theater run by respondent No.5 does not satisfy the requirements as contemplated under Tamil Nadu Cinema Regulation Rules, 1957. On enquiry, he came to know that the seating capacity of the theater is 561, but no permission has been accorded by first respondent for seating the viewers in the balcony of the theater. According to petitioner, the theater lacks safety measures during emergency situation



W.P.No.34499 of 2024

and in case of fire, it may not be possible to evacuate the public.

WEB COPY

2. We find, these are general statements made with no specifics and therefore, in our view the petition is not sustainable.

3. At the same time, the District Collector, the Public Works Department as well as the Tamil Nadu Fire and Rescue Service Department who are arrayed as respondents 1 to 3, as also the Tahsildar, respondent No.4, shall consider this petition as a representation and ensure that the theater functions in accordance with the prescribed rules and permissions granted. The authorities shall keep in mind the Uphaar tragedy that happened in Delhi when many people got killed in the fire. Respondents shall be warned that if any unfortunate tragedy happens, they shall be held personally liable.

4. At this stage, Mr.Prabakar states that he has received a report from respondent No.4 that the theater is functioning as per the rules and there are safety certificates in place. All the certificates may be in place, but the ground reality might be different.



W.P.No.34499 of 2024

WEB COPY

5. Therefore, we direct respondent No.1, the Collector, to personally go and inspect the theater and file a report to this Court in this matter, with a copy to petitioner, as to whether all safety requirements are met. The report shall be submitted within four weeks from today.

Petition is dismissed. There shall be no order as to costs.

(K.R.SHRIRAM., CJ.)

(SENTHILKUMARRAMAMOORTHY, J.)

12.12.2024

Index : Yes/No
NC : Yes/No

sra



W.P.No.34499 of 2024

To
WEB COPY

1. The District Collector,
Ariyalur, Ariyalur District.
2. The Chief Executive Engineer,
PWD Department, Ariyalur,
Ariyalur District.
3. The District Officer,
Tamilnadu Fire and Rescue Service Department,
Perambalur and Ariyalur District.
4. The Thasildar,
Jeyankondam Taluk,
Jeyakondacholapuram, Ariyalur District.



WEB COPY



W.P.No.34499 of 2024

THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY,J.

(sra)

W.P.No.34499 of 2024

12.12.2024