



W.P.No.10471 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.03.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

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&

W.M.P.No.11343 of 2026

G.Mayakannan
S/o.Govindharaj
No.46/1,North Street
Vadakkanathal Village
Chinna Salem
Kallakurichi District.

Petitioner(s)

Vs

1. The Principal Secretary
Home (Cinema) Department
Government of Tamil Nadu
Secretariat, Chennai -600 009.
2. The Director of Town and Country Planning
Office of the DTCP, Chepauk
Chennai -600 005.
3. The District Collector
Kallakurichi District
Kallakurichi -606 202.



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4. The Assistant Director of Town and Country Planning
Kallakurichi District, KAV Complex,
Kallakurichi -606 202.
5. The Commissioner
Kallakurichi Municipality
Kallakurichi District -606 202.
6. The District Officer
Fire and Rescue Services Department
Kallakurichi District -606 202.
7. The Executive Engineer
Public Works Department (Buildings)
Kallakurichi District -606 202.
8. Lena Theatre
Represented by its Proprietor,
Salem Ulundurpettai Highway
Raja Nagar, Kallakurichi -606 202.

Respondent(s)

Prayer : Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing Respondents 1 to 7 to conduct a joint inspection at 8th Respondent Lena theatre, Situated at Salem-Ulundurpettai Highway, Raja Nagar, Kallakurichi-606 202, as the 8th respondent did not obtain mandatory DTCP/CMDA planning permission under Section 5-A(1) of the Tamil Nadu Cinemas (Regulation) Act, 1955 and upon finding violations, to take action strictly in accordance with law, including suspension or cancellation of licence, demolition or removal of unauthorised construction under the Tamil Nadu Town and Country Planning Act, 1971.



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For Petitioner(s): Mr.A.L.Franc Paul Asirvadam

For Respondent(s): Ms.Akila Rajendran
Government Advocate for R1 to R7

ORDER

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

The writ petition has been filed under Article 226 of the Constitution of India, by way of public interest litigation, seeking direction to respondents 1 to 7 to conduct joint inspection at Lena Theatre, Situated at Salem-Ulundurpettai Highway, Raja Nagar, Kallakurichi-606 202, by the competent authority, including the licensing authority of Public Works Department and Structural Engineer, to ascertain whether any construction/re-construction or additional construction has been carried out, without obtaining mandatory DTCP/CMDA planning permission under Section 5-A(1) of the Tamil Nadu Cinemas (Regulation) Act, 1955 and upon finding violations, to take action strictly in accordance with law, including suspension or cancellation of licence, demolition or removal of unauthorised construction under the Tamil Nadu Town and Country Planning Act, 1971.



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2. Earlier, petitioner had made a complaint on 24.07.2025 to the Fire and Rescue Department, pursuant to which, an inspection of the cinema theatre was conducted on 13.08.2025 to investigate whether the owner of the theatre was carrying out construction work without proper permission. During inspection, it was found sufficient distance was maintained in front of the cinema and on both sides of the cinema to allow fire engines to enter and extinguish fire. It was also found that the construction work was being carried out on the basis of permission to make changes to the interior based on the letters of recommendation from subordinate officers for the issuance of no objection certificate by the District Collector. The building has been issued fire safety certificate only after fire safety inspection by the fire department. Pursuant to all permissions granted by various authorities, the District Collector has issued 'C Form' license on 24.01.2026 which is valid till 04.01.2029 and the theatre is under operation.

3. Now the proceedings are put to challenge in this public interest litigation and only on the basis of apprehension, direction has



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been sought to conduct inspection without even knowing what violations are made in the cinema theatre. Accordingly, we refrain from entertaining this public interest litigation.

4. Petition is misconceived. Therefore, petition is dismissed with costs of Rs.10,000/- (Rupees ten thousand only) to be deposited by petitioner with the Tamil Nadu State Legal Services Authority, Chennai, within a period of thirty days from today. If costs is not paid, Registry is directed to place this matter before this Court for initiating further action. Consequently, the interim application is also dismissed.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
23.03.2026

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

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