

**IN THE HIGH COURT OF JUDICATURE FOR THE STATE OF
TELANGANA
HON'BLE SRI JUSTICE NAGESH BHEEMAPAKA**

WRIT PETITION No. 37102 OF 2025

09.07.2026

Between:

Arokya Swamy Joseph

..... Petitioner

And

The Government of India,
Rep. by Secretary,
Department of Information and Broadcasting
& others

..... Respondents

ORDER:

This Writ Petition is filed seeking a direction to Respondent No.2 - Central Board of Film Certification to review and change the U/A certification granted to Telugu feature film "GIRLFRIEND".

2. The case of petitioner, as pleaded in the affidavit filed in support of the writ petition, is that he is a social worker who believes in preserving moral values in society and considers it his responsibility to oppose activities affecting the morality of the younger generation. It is stated that he watched the Telugu film "GIRLFRIEND" at Sri Sai Ram Theater, Malkajgiri on 18.11.2025. According to petitioner, Respondent No.2 granted a

"UA" Certificate permitting unrestricted public exhibition with parental guidance for children below the prescribed age; the certification is wholly inappropriate considering the overall theme, dialogues and portrayal in the film. It is specifically pleaded that the film depicts the lead hero entering the girls' hostel every night and that, when questioned by the father of the female lead, the caretaker/HOD justifies the conduct stating that the acts of two consenting adults cannot be questioned. According to petitioner, such portrayal sends a wrong message to the younger generation.

2.1. It is further pleaded that the depiction is capable of influencing the minds of parents and may discourage them from permitting their daughters to pursue higher education by residing in hostels. Petitioner further states that Indian society continues to place responsibility upon parents towards their daughters even after they attain majority and that such realities cannot be ignored while certifying films intended for public exhibition. He has also objected to the portrayal of the female lead concealing incidents occurring in the ladies' hostel, contending that such depiction may adversely influence viewers between 12 and 18 years of age. Objection is also raised

regarding the scene wherein the lead actor changes his pants openly in the corridor of the ladies' hostel in the presence of other occupants, which according to petitioner is objectionable and inappropriate for adolescent viewers. On the above allegations, petitioner seeks issuance of 'A' Certificate instead of a 'UA Certificate.

3. Respondents 1 and 2 filed counter opposing the Writ Petition. It is stated that Respondent No.2 granted certification strictly in accordance with the provisions of the Cinematograph Act, 1952 and the Cinematograph (Certification) Rules, 1983. The Central Government issued Guidelines under Section 5B(2) of the Cinematograph Act, 1952 which govern the process of certification and that the Board acted strictly in accordance with those Guidelines. The film 'Girl Friend' (Telugu) was submitted for certification on 29.10.2025 and was examined on 30.10.2025 by the Examining Committee comprising the Examining Officer, CBFC, Hyderabad and four Advisory Panel Members drawn from different walks of life. According to them, the Examining Committee held detailed deliberations regarding the theme, treatment and presentation of the film in the light of the statutory Guidelines issued under

Section 5B(2) of the Cinematograph Act, 1952. It is further pleaded that on the unanimous recommendation of the Examining Committee constituted under Rule 22 of the Cinematograph (Certification) Rules, 1983, the film was certified with "UA 13+" subject to excisions and modifications *vide* CC No. DIL/6/66/2025-HYD dated 03.11.2025 and Censor Certificate No. DIL/6/66/2025-HYD dated 03.11.2025.

3.1. It is also contended that utmost care was taken while certifying the film and that the filmmaker incorporated an appropriate disclaimer regarding cinematic liberties at the beginning of the film. The film had already been released in theatres and that there is no provision under the 1952 Act enabling Respondent No.2 to review the certification already granted.

4. Respondent No.3 filed separate counter contending that petitioner has failed to establish any legal injury or *locus standi* to maintain the Writ Petition. According to them, the Writ Petition is not maintainable as a Public Interest Litigation since no public interest is involved and petitioner has failed to explain how he is personally affected by the certification. Respondent No.3 further disputes petitioner's claim of being a preacher and

social worker and contends that no material has been produced to substantiate such claim. It is further questioned why petitioner, while claiming to be a social worker and preacher, chose to visit the theatre to watch the disputed film. It is alleged that the litigation has been initiated only to tarnish their image and deserves dismissal with exemplary costs.

4.1. Respondent No.3 admits that they are only presenter and distributor of the film and "UA" Certificate was issued by Respondent No.2; certification of films lies exclusively within the statutory authority of Respondent No.2 and Respondent No.3 has absolutely no role in determining the category of certification. It is also contended that petitioner failed to produce the certificate before the Court and the producer or director alone would be affected by the grant or refusal of certification.

4.2. It is also contended that the allegations contained in paragraphs 8 to 12 of the writ affidavit merely relate to the storyline of the film and Respondent No.3 cannot comment upon such matters. According to this respondent, this Court is not exercising appellate jurisdiction over the certification granted by Respondent No.2 and that an alternative appellate

remedy exists under the Act. It is also contended that petitioner approached the Police Officials, who have no authority regarding film certification, and he failed to establish violation of any of his personal fundamental rights under Articles 14, 19 and 21 of the Constitution of India.

5. Heard Sri K.W.J. Bose, learned counsel for petitioner, Smt. N.V.R. Rajyalakshmi, learned Standing Counsel on behalf of Respondents 1 and 2 and Sri G. Kalyan Chakravarthy, learned counsel for Respondent No.3.

6. There can be no dispute that certification of films is primarily within the statutory domain of the Central Board of Film Certification. At the same time, exercise of such statutory power is expected to conform to the provisions of the Cinematograph Act, 1952, the Cinematograph (Certification) Rules, 1983 and the Guidelines framed under Section 5B(2) of the Act. Certification is not merely a procedural exercise but involves balancing freedom of artistic expression with the legitimate interest of protecting children and adolescents from age-inappropriate content.

7. The contention of Respondents 1 and 2 that film was examined by an Examining Committee consisting of

Examining Officer and four Advisory Panel Members and certification was granted after detailed deliberations, undoubtedly, demonstrates that the statutory procedure was followed. However, compliance with procedural requirements, by itself, does not preclude judicial examination where the grievance relates to the correctness of the category of certification and its consistency with the statutory Guidelines.

8. Petitioner has specifically pointed out that the film depicts repeated entry of the male protagonist into the girls' hostel during night hours, portrays institutional acceptance of such conduct through the dialogue attributed to the caretaker/HOD that acts between consenting adults cannot be questioned, depicts concealment of incidents occurring inside the ladies' hostel by the female lead, and includes a scene showing the lead actor changing his pants in the corridor of the ladies' hostel in the presence of other occupants. These are not isolated objections to individual scenes but constitute the cumulative basis on which petitioner contends that the overall theme of the film is unsuitable for adolescent viewers.

9. This Court is conscious of the fact that cinema is a medium of artistic expression and that differing moral or social

perceptions cannot ordinarily constitute grounds for judicial interference. At the same time, age-based classification under the Cinematograph Act, 1952 necessarily requires an assessment whether the overall impact of the film is appropriate for viewers falling within a particular age group. The distinction between "UA" Certificate and "A" Certificate is intended precisely to address such concerns.

10. The submission of Respondent No.3 regarding maintainability and *locus standi* cannot, in the peculiar facts of the present case, defeat examination of the grievance. The challenge is directed against exercise of statutory power by Respondent No.2 in granting a particular category of certification. The issue concerns the discharge of a statutory function affecting public exhibition of a cinematographic film and therefore cannot be rejected solely on the ground that petitioner is not the producer or director.

11. Likewise, the contention that Respondent No.3 is only the distributor deserves acceptance to the limited extent that no role is attributable to Respondent No.3 in the decision-making process relating to certification. The responsibility regarding grant of certification lies exclusively with Respondent

No.2 under the statutory framework. Respondents 1 and 2 contends that there is no provision for review under the Cinematograph Act, 1952 cannot prevent this Court, in exercise of its jurisdiction under Article 226 of the Constitution, from issuing appropriate directions where exercise of statutory power warrants reconsideration in accordance with law.

12. On an overall consideration of the pleadings, the objections specifically raised by petitioner regarding nature of scenes, dialogues, portrayal of conduct inside a girls' hostel and their likely impact upon viewers below the age of eighteen years, this Court is of the considered view that the film ought to have been classified under the category of 'A' Certificate rather than 'UA 13+' Certificate. Accordingly, while this Court is not inclined to interfere with the artistic content of the film, it finds merit in the grievance relating to the category of certification. This Court therefore, holds that the Telugu feature film 'The Girl Friend' ought to have been granted 'A' Certificate instead of 'UA 13+' Certificate granted *vide* CC No. DIL/6/66/2025-HYD dated 03.11.2025 and Censor Certificate No. DIL/6/66/2025-HYD dated 03.11.2025.

13. The Writ Petition is accordingly, disposed of. Respondent No.2 is directed to reconsider certification of the film in the light of the observations made above and take an appropriate decision regarding the category of certification in accordance with the provisions of the Cinematograph Act, 1952, the Cinematograph (Certification) Rules, 1983 and the Guidelines issued under Section 5B(2) of the Act, within four weeks from the date of receipt of a copy of this order. No costs.

14. Consequently, the miscellaneous petitions pending, if any, shall stand closed.

NAGESH BHEEMAPAKA, J

09th July 2026

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