

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

WRIT PETITION No. 17823 OF 2026

21.07.2026

Between:

M/s Sunrise Entertainments
Rep. by its Proprietor Smt. Chiluvuri Swathi

..... Petitioner

And

The Central Board of Film Certification (CBFC),
Rep. by its Regional Officer & another

..... Respondents

ORDER:

Petitioner is aggrieved by the inaction on the part of Respondent No.1 in considering the representation of Petitioner firm dated 13.05.2026 and in releasing the Central Board of Film Certification (CBFC) Certificate in favour of Petitioner firm in respect of its feature film titled "Raam Bhajarang". Consequently, a direction is sought to Respondent No.1 to forthwith release CBFC Certificate in favour of Petitioner firm in respect of the said feature film.

2. Petitioner is a firm engaged in the business of film production, represented by its Proprietor Smt. Chiluvuri Swathi, and is duly registered with the Telugu Film Chamber of

Commerce *vide* Registration No. 4948/PM/LM/P/2022, having obtained its Provisional Life Membership Certificate (Temporary) dated 11.05.2022 in the category of Producer Sector. In the ordinary course of its business, Petitioner firm produced a feature film titled "Raam Bhajarang" and claims to be the sole producer and absolute owner of all rights, title and interest therein, including the rights secured in the title "Raam Bhajarang" duly registered with the Telugu Film Chamber of Commerce *vide* Registration No. 30245/TFCC/TR dated 27.01.2026, renewed by way of a Renewal of Certificate dated 24.01.2026, with validity up to 26.07.2026.

2.1. The case of petitioner firm is that, they, in the course of business activities, engaged Mr. Ch. Subba Raju alias Sudheer Raju to direct the subject film and entered into a formal Agreement with him to that effect, and thereafter, finalized all the main and supporting artists of the film and entered into respective written agreements with each of them. They commenced principal photography of the subject film in August 2024 and completed the same by December 2025, thereafter, undertook and completed pre-production and post-production formalities of the film, including engaging Prasad

Film Laboratories Pvt. Ltd. for post-production services *vide* their letter dated 02.07.2024, at a cost of Rs. 11,00,000/- plus 18% GST.

2.2. Petitioner firm thereafter applied for CBFC certification of the subject film under Acknowledgement No. CA070902202600043 which was kept pending for clearance by Respondent No.1 and Petitioner firm came to know that Respondent No.1 has put the said clearance on hold solely on account of the absurd and false claims made by one Mr. Mohammed Asif Jani, representing M/s Star Film Factory and mere pendency of Writ Petition No. 3823 of 2026 filed by the said Mr. Mohammed Asif Jani against (i) the Central Board of Film Certification, (ii) the President, Telangana Film Producers Council, (iii) the Secretary, Telangana Film Chambers of Commerce, and (iv) Mr. C. Subba Raju, seeking a direction that the censor certificate not be issued to the subject film, on the ground that release of the said film would affect his purported rights.

2.3. It is stated, petitioner firm, being the producer and owner of the subject film, has not even been impleaded as a party respondent to Writ Petition No.3823 of 2026 and the said

Writ Petition cannot at all be adjudicated in the absence of Petitioner, being the necessary and proper party to the said proceedings; and further there exists no interim order, stay order, injunction or direction issued either by this Court or by any other competent Court restraining Respondent No.1 from processing or issuing certification in respect of the subject film, and therefore, withholding of certification solely on account of pendency of the said Writ Petition, in the absence of any prohibitory order, is not sustainable in law.

2.4. The allegations made by Respondent No.2 in Writ Petition No.3823 of 2026 are wholly false, baseless and unsupported by any legally admissible evidence, and are only a method adopted by the said person to arm-twist and coerce the Petitioner firm into agreeing to his illegal demands by delaying the release of the subject film; and the claim of Respondent No.2 that he has completed partial works of the film and incurred expenditure towards the same is a blatant lie unsupported by any legally-admissible evidence placed either before this Court or before Respondent No.1, and that, in any event, such claims are issues of trial that are to be adjudicated and decided by the competent civil court and not by Respondent No.1.

2.5. It is stated, the main allegations levelled by Respondent No.2 are, in fact, against the Director of the subject film, Mr. C. Subba Raju, which are personal civil issues between them and are not concerned with Petitioner's production company at all; and there is no agreement or contract whatsoever between Respondent No.2 or his firm M/s Star Film Factory, on the one hand, and the director, artists or technicians engaged by Petitioner firm, on the other and in the absence of any such document, all the allegations of Respondent No.2 fall to the ground and have no legs to stand upon, nor do they call for any intervention by the Respondent No.1.

2.6. It is stated further, Petitioner firm, on the contrary, possesses all the requisite agreements with the director, actor, actress, artists and technicians and all persons concerned, which are the basic documents required before commencement of a motion picture, and Petitioner firm has completed the subject film in compliance with all applicable rules and regulations, by putting in great effort and investing huge amounts, which have been borrowed from the market and are

attracting interest on every passing day. Petitioner firm has also secured rights in respect of the title "Raam Bhajarang" from the competent authority, namely the Telugu Film Chamber of Commerce, and is, accordingly, the absolute owner of the subject film and is exclusively entitled to seek certification and release of the same, there being absolutely no legal impediment for issuance of CBFC certification in favour of the Petitioner firm in respect of the feature film "Raam Bhajarang".

2.7. Petitioner firm caused a detailed representation dated 13.05.2026 to Respondent No.1, bringing to light all the aforesaid aspects and requesting them to release CBFC Certificate in favour of Petitioner firm in respect of the subject film, but Respondent No.1 failed to consider the same and orally informed Petitioner to obtain an order from the Court, and that on every passing day, Petitioner firm is incurring financial losses on account of the delay in release of the subject film.

3. Respondents have not filed any counter.

4. Heard Sri Raja Sripathi Rao, learned Senior Counsel assisted by Sri Vishal Kumar Jain, learned counsel for petitioner, Smt. N.V.R. Rajya Lakshmi, learned Standing Counsel for Central Government.

5. The short question that falls for consideration is whether Respondent No.1, being a statutory authority constituted under the Cinematograph Act, 1952, and entrusted with the function of certification of cinematograph films for public exhibition, was justified in withholding certification of the subject film "Raam Bhajarang" on the sole ground of pendency of Writ Petition No.3823 of 2026, in which petitioner herein is admittedly not even a party, and in which no interim order of any nature restraining Respondent No.1 from processing or granting certification has been passed by any competent Court.

6. It is by now well-settled that a statutory authority is bound to exercise the powers and discharge the functions vested in it under the statute in accordance with law, and cannot abdicate its statutory duty merely because a third party has raised a grievance before another forum, particularly where such third party has not obtained any order of stay or injunction restraining the authority from discharging its functions. Mere pendency of litigation does not operate as an embargo upon a statutory authority from performing its statutory duty, and any such self-imposed restraint, in the absence of a specific prohibitory order, amounts to abdication of

statutory function and constitutes an error apparent on the face of the record, warranting interference by this Court under Article 226 of the Constitution of India.

7. In the present case, it is not in dispute and indeed it has gone unrebutted in the absence of any counter that Petitioner firm is not arrayed as a party respondent in Writ Petition No.3823 of 2026, notwithstanding the fact that the reliefs sought therein directly and substantially affect the rights of Petitioner firm as the producer and owner of the subject film. It is a fundamental principle of adjudication that no order can be passed to the detriment of a person who is not before the Court and who had no opportunity of being heard. Petitioner firm, being the necessary and proper party without whom the controversy raised in Writ Petition No.3823 of 2026 cannot be effectually and completely adjudicated, cannot be made to suffer the consequences of an inaction founded upon a proceeding to which it is a stranger. This Court has also perused the status of Writ Petition No.3823 of 2026, which reflects that the said matter is still pending at the stage of admission; notice was issued to respondents therein on 09.02.2026 and thereafter on 09.03.2026, and the matter stood posted to 30.03.2026;

significantly, at no stage of the said proceedings has any interim order, stay, injunction or direction been issued restraining Respondent No.1 from processing or issuing CBFC Certificate in respect of the subject film. In such circumstances, withholding of certification by Respondent No.1, solely on the ground of pendency of the said Writ Petition, cannot be countenanced and the same is liable to be declared as illegal and arbitrary.

8. It is also relevant to note that the entire surface of the objection raised by Respondent No.2 rests upon disputed questions of fact concerning alleged prior engagement with the Director of the subject film, Mr. C. Subba Raju, and an alleged partial completion of work and expenditure incurred thereon. These are matters that squarely fall within the domain of a civil court of competent jurisdiction for adjudication upon evidence, and cannot furnish a legally-sustainable basis for a statutory certifying authority such as Respondent No.1 to withhold certification of a cinematograph film. Respondent No.1, under the scheme of the Cinematograph Act, 1952, and the Rules framed thereunder, is concerned with the certification of a film with reference to its content, having regard to the parameters prescribed under the said Act and the guidelines issued

thereunder, and it is not the function of Respondent No.1 to adjudicate upon *inter se* civil or commercial disputes between rival claimants to a film or its title. To permit Respondent No.1 to withhold certification on the basis of unproved and unadjudicated allegations of a third party, unaccompanied by any interim protection from a competent court, would be to allow a statutory authority to be used as an instrument of pressure in what is essentially a private commercial dispute, a course that cannot be countenanced in law.

9. This Court also takes note of the fact that Petitioner firm has placed on record cogent and contemporaneous material evidencing its *bona fide* claim over the subject film, namely, Provisional Life Membership Certificate No.4948/PM/LM/P/2022 dated 11.05.2022 issued by the Telugu Film Chamber of Commerce, Renewal of Certificate dated 24.01.2026 registering the title "Raam Bhajarang" in Telugu language under Registration No.30245/TFCC/TR dated 27.01.2026, valid up to 26.07.2026, the engagement letter with Prasad Film Laboratories Pvt. Ltd. dated 02.07.2024 for post-production services, and a series of agreements entered into by Petitioner firm with its director, lead artists and technicians

between June 2024 and January 2026. This material, taken cumulatively, lends credence to the claim of Petitioner firm that it is the producer and owner in possession of the subject film, and it has, in fact, invested substantial sums of money towards production of the said film, which investments continue to attract interest with every passing day of delay.

10. It is further noticed that Petitioner firm addressed a detailed representation dated 13.05.2026 to Respondent No.1, setting out all the aforesaid facts and circumstances and specifically requesting Respondent No.1 to process and release the CBFC Certificate in respect of the subject film. It is not the case of Respondent No. 1, nor is there any material to suggest, that the said representation was ever considered on merits or that any reasoned order, one way or the other, was passed thereon. On the contrary, it is the specific and uncontroverted averment of Petitioner that Respondent No.1 merely informed Petitioner orally to obtain an order from the Court. Such a course of conduct on the part of a statutory authority, of declining to apply its mind to a representation and instead directing the person aggrieved to approach a Court of law without passing any order thereon, amounts to non-application

of mind and constitutes arbitrary inaction attracting the writ jurisdiction of this Court. A statutory authority cannot be permitted to sit over a representation indefinitely, nor can it be permitted to shift the burden of decision-making onto the Court, particularly when the person aggrieved has a clear and unambiguous entitlement flowing from documents that have gone unchallenged.

11. Having regard to the totality of the facts and circumstances, this Court is of the considered view that the Writ Petition deserves to be allowed.

12. The Writ Petition is allowed. Respondent No.1 is directed to forthwith process the Application of Petitioner firm made under Acknowledgement No. CA070902202600043 and to release the CBFC Certificate in favour of Petitioner firm in respect of the feature film "Raam Bhajarang", strictly in accordance with the applicable provisions of the Cinematograph Act, 1952, and the Rules and guidelines framed thereunder, uninfluenced by the pendency of Writ Petition No.3823 of 2026, in which no interim order restraining such certification subsists as on date. No costs.

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

NAGESH BHEEMAPAKA, J

21st July 2026

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