

W.P.No.30228 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 17.10.2023

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.30228 of 2023

Mr.K.Ramachandran

... Petitioner

Vs

1. The Principal Secretary to Government,
Home (Cinema) Department,
Secretariat,
Chennai – 600 009.

2. Tamil Nadu Theatre and Multiplex
Owners Association,
14/49, Dr.B.Narasimhan Road,
North Boag Road,
Chennai – 600 017

(R2 suo motu impleaded vide this order)

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus permitting the show timings from 7 am during 19.10.2023 to 24.10.2023 to accommodate special shows as per G.O.(Rt).No.845 and to screen a special show on the release date i.e.19.10.2023 at 4.00 a.m.

For Petitioner : Mr.Srinath Sridevan
Senior Counsel
for Mr.V.Karthikeyan



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For Respondents : Mr.R.Shunmuga Sundaram
assisted by
Mr.Hasan Mohd. Jinnah
State Public Prosecutor - R1

ORDER

The petitioner seeks a mandamus on two counts: i) permitting screening of 5 special shows of the film 'LEO' (in short 'film'), commencing from 07.00 a.m. from 19.10.2023 to 24.10.2023 and ii) permitting screening of an additional special show of the film on 19.10.2023, which is the date of release, at 4.00 a.m.

2. Mr.Srinath Sridevan, learned Senior Counsel appearing for Mr.V.Karthikeyan, learned counsel on record for the petitioner states that the petitioner is the Producer of the Tamil film entitled 'LEO', scheduled to be released worldwide on 19.10.2023. The petitioner had approached the first respondent, being the Principal Secretary to Government, Home (Cinema) Department seeking a relaxation of the conditions under 14-A of Form C of the Tamil Nadu Cinemas (Regulation) Rules, 1957.

3. In terms of 14-A, a theatre may screen not more than 4 shows of a film within maximum permitted exhibition time, during a day. Though 14-A does not stipulate the exhibition time per se, my attention is drawn to



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G.O.Ms.No.2193 Home Department dated 18.08.1973 that stipulates the range

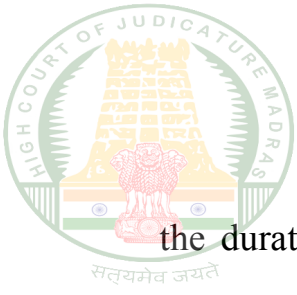
of times for exhibition as 9.00 a.m. to 1.30 a.m of the succeeding day.

4. Mr.Jinnah, who appears for the first respondent points out that the first respondent has considered and granted permission for one special show in addition to four regular shows, exercising the power vested in it under Section 11 of the Tamil Nadu Cinemas Regulation Act, 1955 (in short 'Act'), in terms of G.O.Ms.No.2193 dated 18.08.1973.

5. However, though G.O.(Rt) No.845 has accepted the petitioner's request for special screening, permitting 5 shows of the film between 19.10.2023 and 24.10.2023, the G.O. does not relax the time of commencement of the screening.

6. The petitioner points out that the duration of the film is itself 2 hours and 45 minutes and taking note of the mandatory time gap of 30 minutes between two shows and interval of 20 minutes during the screening, it would be impossible to accommodate 5 shows (4 regular + 1 special show) between 9.00 a.m. and 1.30 a.m. of the next day. It is for this reason that the petitioner had sought relaxation of commencement of show time to 7.00 a.m.

7. The G.O. while accepting the request for screening of special shows has directed that screening commence only at 9.00 a.m, which, in fact, makes the G.O. unworkable. The defence put forth is that the authority was unaware of



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the duration of the film, which, in my view, ought to have been ascertained

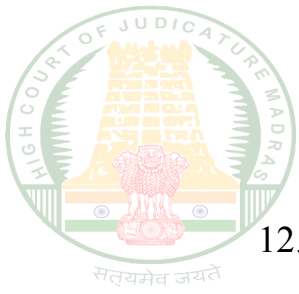
WEB COPY prior to accepting the request for exemption. In addition, the authority has rejected the request for screening of the 7th show on the date of release, being 19.10.2023.

8. Since, G.O.(Rt) No.845 has not been challenged, the petitioner has accepted the rejection of his request for screening of 7th show on 19.10.2023 and nothing more needs to be said in regard to that limb of the prayer which stands rejected.

9. Coming to the commencement time of the show, learned State Public Prosecutor would accede to the position that the first respondent will re-consider the specific request for commencement of the shows from 7.00 a.m. between 19.10.2023 and 24.10.2023.

10. Though Mr.Jinnah would opine that the authorities will explore exhibition of 5 shows between 9.00 a.m. and 1.30 a.m. as stipulated, there should not be, in my view, any compromise on the time for interval and in-between shows, in the interests of public safety.

11. Thus, the only request to be re-considered would be as to whether the screening of shows between 19.10.2023 and 24.10.2023 might commence from 7.00 a.m. instead of 9.00 a.m. The theatre owners must be simultaneously directed to ensure that all proper protocols will be followed in this regard.



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12. For this purpose, the Tamil Nadu Theatre and Multiplex Owners

Association, 14/49, Dr.B.Narasimhan Road, North Boag Road, Chennai – 600

017 is suo motu impleaded as R2 in this Writ Petition.

13. A copy of this order will be served upon R2 as well to enable both parties, viz., the petitioner and R2 to appear before the first respondent at 4.00 p.m. today to enable him to take a view on the petitioner's request forthwith and pass orders today (17.10.2023).

14. The prayer for mandamus is rejected and this Writ Petition is disposed with the above observations and directions. No costs.

17.10.2023

Index : Yes / No

Speaking Order/Non-Speaking Order

Neutral Citation: Yes/No

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Note: Registry is directed to issue a copy of this order today by 1.30 p.m.

To

The Principal Secretary to Government,
Home (Cinema) Department,
Secretariat, Chennai – 600 009.



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Dr.ANITA SUMANTH,J.

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