

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT FOR THE STATE OF TELANGANA, AT HYDERABAD**

WEDNESDAY, THE TWENTY FOURTH DAY OF SEPTEMBER,

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION NO: 29214 OF 2025

Between:

Barla Mallesh Yadav, S/o. B Narsaiah.

...Petitioner

AND

1. The State of Telangana, Department of Home, Rep by. Principal Secretary Telangana Secretariat, Khairatabad, Hyderabad, Telangana 500022.
2. Commissioner of Police, Rep by. Hyderabad City Police (Cinemas Licensing Authority), O/o Commissioner of Police, Tower-A, ICCB Building, Road No 12, Banjara Hills, Hyderabad, 500034.
3. DVV Entertainments, rep by. Authorised Signatory, O/o. 8-2-269/S/79, SAGAR SOCIETY, ST NO - 7, RD NO - 2, BANJARA HILLS, HYDERABAD, Telangana, India - 500034, email. dvventertainmentsllp@gmail.com.

...Respondents

WHEREAS the Petitioner above named through his Advocate Sri VIJAY GOPAL presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, Direction or Order more particularly one in the nature of Writ of Mandamus. To Declare the issuing of executive order (viz. i.e. Memo vide (Memo. No. 11922/General AI/2025, Dated. 19-09-2025), issued by the Respondent No. 1 (Home Department), permitting exhibition of cinema, One show at 9.00 PM on 24-09-2025 with ticket rate of Rs.800/-(including GST) for this show only and other enhanced rates for remaining days till 4th Oct 2025 (for Telugu movie Ojas Gambheera viz. 'They call him OG'. as arbitrary, illegal, without legal competence and set aside the same and consequentially prohibit the Respondent No. 1 (Home Dept.) from issuing any such executive orders (memo, circular, etc.) in the future violating the mandate of Article 246 of Constitution of India hereon and uphold Article 14 of the Constitution of India.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri VIJAY GOPAL Advocate for the

Petitioner and Government Pleader for Home for Respondent Nos.1 & 2 directed issue of notice to the Respondent No.3 to show cause as to why this WRIT PETITION should not be admitted.

You viz:

The Authorised Signatory, DVV Entertainment, O/o. 8-2-269/5/79, SAGAR SOCIETY, ST NO - 7, RD NO - 2, BANJARA HILLS, HYDERABAD, Telangana, India - 500034, email. dvventertainmentsllp@gmail.com

are directed to show cause on or before 09.10.2025 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased To direct the Respondent No. 1 (Home Dept.) to ensure that only 18+ Adult audience is allowed to the said cinemas as is the rating of the movie granted by the CBFC, Government of India and issue any such other orders as this Honourable Court may deem fit, pending disposal of WP No. 29214 of 2025, on the file of the High Court.

The Court made the following ORDER:

Learned Government Pleader for Home takes notice on behalf of the respondents No.1 and 2.

The Registry is directed to issue notice to the respondent No.3.

The learned counsel for the petitioner is permitted to take out personal notice on the respondent No.3 and file proof of service.

The learned counsel for the petitioner would submit that the present writ petition is filed questioning the Executive Order Memo No.11922/General AI/2025, dated 19.09.2025 issued by the respondent No.1 permitting exhibition of cinema, One show at 9.00 pm on 24.09.2025 with ticket rate of Rs.800/- (including GST) for this show only and other enhanced rates for remaining days till 4th October 2025 (for Telugu movie Ojas Gambheera viz "They call him OG".

The learned counsel for the petitioner has drawn the attention of this Court to the impugned Memo dated 19.09.2025 wherein reference to

G.O.Ms.No.120, Home (Genl) Department, dated 21.12.2021 has been taken. Further, he also drawn the attention of this Court to the order dated 23.12.2021 passed in W.P. (PIL) Nos.74 of 2021 and W.As. No.864 of 2017 and batch wherein the Hon'ble Division Bench of this Court referred G.O.Ms.No.120, Admission Rates and Maintenance Charges for Cinema Theatres, which reads as under:

"Minimum Air Conditioned/Non.A.C. Recliner Special Multiplexes Air Cooled seats in Imas/Large Single Screens 75 ft Theatre and above/Single theatre Rs.50+Rs.30+ -- Rs.100+GST as GST as applicable GST as applicable applicable Maximum Air Conditioned/Air Non.A.C. Recliner Special Multiplexes Cooled seats in Imax/Large Single Screens 75ft Theatre and above/Single theatre Rs.250+GST as Rs.150+Rs.70+Rs.200+Rs.250+ Applicalbe GST as applicable GST as GST as GST as for recliners applicable applicable applicable Rs.300+GST as applicable Maintenance Charges Maintenance Charges A.C. Theatres/Air Cooled Non-Ac Rs.5-00 per ticket Rs.3-00 per ticket RAVI GUPTA PRINCIPLA SECRETARY TO GOVERNMENT".

The Hon'ble Division Bench of this Court disposed of the said batch of writ petitions directing the State Government to ensure strict compliance of the said G.O.

The learned counsel for the petitioner further submitted that the respondent No.1 has no jurisdiction to pass the impugned Memo dated 19.09.2025 permitting the respondent No.3 for enhancing the ticket rates for the movie. Further, as per the Section 2(1-A) of the Andhra Pradesh Cinemas (Regulation) Act, 1955 (Act No.4 of 1955) Definition, the competent licensing authority is "District Collector" in relation to the cities of Hyderabad and Secunderabad means the Commissioner of Police". He would further draw the attention of this Court to the Chapter-III Rule 11-(A) which deals with licences and certificates, which reads as: *"11-(A) Application for grant of a Licence: (1) Every application to the licensing authority for the grant of a licence under the Act shall be in writing and in Form-A II and shall be accompanied by - ...*

As per Rule 11(3)(a) reads as *“The licensing authority-while granted or renewing a licence in Form-B shall also fix the maximum rates of payment for admission to the different classes in the licensed premises.*

In the present case, the Commissioner of Police is empowered to fix the rates but not the respondent No.1. Hence, the impugned Memo dated 19.09.2025 is in contravention of the G.O. Ms. No.120, dated 21.12.2021 and in violation of the order dated 23.12.2021 passed in W.P. (PIL.) No.74 of 2021 and batch by the Hon'ble Division Bench of this Court.

The learned counsel for the petitioner further submitted that as per the certificate issued by the CBFC, (Central Board of Film Certification), Government of India, the OG movie is 'A' rated movie and that only 18+ adult audience is allowed and direction may be given to the respondent No.2 to ensure/ check that the certificate of CBFC is duly followed.

The learned Government Pleader for Home appearing for the respondents No.1 and 2 has drawn the attention of this Court to the Section 7 of the A.P. Cinemas (Regulation) Act, 1955 wherein appeal remedy is provided. It is further submitted that the petitioner has alternative remedy of appeal and without exhausting alternative remedy of appeal, the petitioner has approached this Court straight away hence, the writ petition itself is not maintainable.

As could be seen from the Section 7 of the A.P. Cinemas (Regulation) Act, 1955, it is clear that the appeal would lie to the aggrieved person who has been refused for grant of any licence or permission. In the case on hand, in the impugned Memo dated 19.09.2025, the quantum of selling of tickets is under challenge.

Having regard to the facts and circumstances of the case and the submissions made by the learned counsel on either side, there shall be interim suspension of the impugned Memo dated 19.09.2025 issued by the respondent No.1. Further, the respondent No.2, the Commissioner of Police, is directed that to ensure that only 18+ Adult audiences are allowed to the said cinema as

per the rating of the movie granted by the CBFC, Government of India and also to ensure that the ticket are not to be sold to the below 18 years audiences.

The Registry is directed to list the writ petition on 09.10.2025.

**SD/- MOMINA MEHAR
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, State of Telangana, Department of Home, Telangana Secretariat, Khairatabad, Hyderabad, Telangana 500022.
2. The Commissioner of Police, Hyderabad City Police (Cinemas Licensing Authority), O/o Commissioner of Police, Tower-A, ICCB Building, Road No 12, Banjara Hills, Hyderabad, 500034 (Addresses 1 & 2 by RPAD)
3. The Authorised Signatory, DVV Entertainments, O/o. 8-2-269/5/79, SAGAR SOCIETY, ST NO - 7, RD NO - 2, BANJARA HILLS, HYDERABAD, Telangana, India - 500034, email. dvventertainmentsllp@gmail.com (by RPAD- along with a copy of petition and affidavit)
4. One CC to SRI. VIJAY GOPAL Advocate [OPUC]
5. Two CCs to GP FOR HOME, High Court at Hyderabad. [OUT]
6. One spare copy

HIGH COURT

NVSKJ

DATED:24/09/2025

LIST ON 09.10.2025

NOTICE BEFORE ADMISSION

WP.No.29214 of 2025

INTERIM SUSPENSION

