

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT

THE HONOURABLE MR.JUSTICE C.S.DIAS

Tuesday, the 1st day of April 2025 / 11th Chaithra, 1947
WP(C) NO. 13500 OF 2025(J)

PETITIONER:

V.V. VIJEESH, AGED 43 YEARS, S/O. VENUGOPAL, DISTRICT COMMITTEE MEMBER, BHARATHIYA JANATHA PARTY, THRISSUR CITY, R/AT VETTATH KOOTTILINGAL HOUSE, KANDANASSERY.P.O, THRISSUR DISTRICT, PIN - 680102

RESPONDENTS:

1. THE SECRETARY MINISTRY OF INFORMATION & BROADCASTING, ROOM NO 552, A WING, SHASTRI BHAWAN, NEW DELHI., PIN - 110001
2. SHRI. PRASOON JOSHI CHAIRMAN, FILM BOARD OF CERTIFICATION, 9TH FLOOR, DR. G. DESHMUKH MARG, MUMBAI., PIN - 400026
3. SHRI. NADEEM THUFAIL.T REGIONAL OFFICER, CENTRAL BOARD OF FILM CERTIFICATION 1ST FLOOR, CHITHRANJALI STUDIO COMPLEX, TIRUVALLUM, THIRUVANANTHAPURAM, PIN - 695027
4. PRITHVIRAJ SUKUMARAN R/AT:-14-G, CHAKOLS WATERSCAPES, THEVARA FERRY ROAD, COCHIN., PIN - 682013
5. MOHANLAL, S/O. VISWANATHAN NAIR, VISMAYA, VIDHYA VIHAR NAGAR, THEVARA, KOCHI., PIN - 682013
6. ANTONY PERUMBAVOOR MANAGING DIRECTOR, AASHIRVAD CINEMAS, CHITTOOR ROAD, ERNAKULAM., PIN - 682011
7. A.M. GOPALAN @ GOKULAM GOPALAM, NO. 65, SREE GOKULAM TOWER, ARCOT ROAD, KODAMBAKKAM, TAMILNADU., PIN - 600024
8. A. SUBASKARAN CHAIRPERSON, LYCA PRODUCTIONS, HAVING HEAD OFFICE AT:- 55, BLOCK B 4TH FLOOR, VIJAYA RAGHAVA RD, T. NAGAR, CHENNAI, TAMIL NADU., PIN - 600017
9. THE DIRECTOR ENFORCEMENT DIRECTORATE, PRAVARTHANBHAVAN, APJ ABDUL KALAM ROAD, NEW DELHI, PIN - 110001
10. THE CHAIRMAN CENTRAL BOARD DIRECT TAXES, E-2, MEZZANINE FLOOR, A.R.A CENTRE, JHANDEWALAN EXTENSION NEW DELHI, PIN - 110055
11. DIRECTOR GENERAL OF POLICE STATE POLICE HEAD QUARTERS, VELLAYAMBALAM, THIRUVANANTHAPURAM, PIN - 695010

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to direct the Respondent Nos. 1 to 3 to take immediate and necessary action to forthwith halt the further telecasting and exhibition of the Malayalam film Empuraan in theatres, in order to prevent further controversy and avert any potential communal unrest and also direction please to grant Respondent No. 11 conduct a thorough inquiry into whether any conspiracy has been hatched by any person with the intent to incite communal riots in connection therewith pending disposal of this writ petition

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of SRI. K.P.PRASANTH, Advocate for the petitioner, DEPUTY SOLICITOR GENERAL OF INDIA for the 1st respondent and of STANDING COUNSEL for the 9th respondent, the State Attorney for the 11th Respondent(B/o) the court passed the following:



C.S.DIAS,J

W.P.(C) No.13500 of 2025

Dated this the 1st day of April, 2025

ORDER

The learned DSGI takes notice for the 1st respondent, the learned Standing Counsel takes notice for the 9th respondent and the State Attorney takes notice for the 11th respondent. Notice to the respondents 2 to 8 and 10 is dispensed with for the time being. The respondents 1,9 and 11 may file their statements/counter affidavits if any.

2. The learned State Attorney draws my attention to the decision of the Division Bench of this Court in **Sebin Thomas v. The Union of India and others** [W.P(C) No.24767/2021], to fortify his contention that, once a certification has been issued by the statutory authorities, there is a presumption that all aspects of the movie have been considered and is fit for exhibition. He also places reliance on several decisions of the Hon'ble Supreme Court to reinforce the above

legal aspect. He also submits that as on today there has been no law and order problem in the State in view of release of the movie and no crime has been registered on account of the movie.

3. In light of the above submission, I am not satisfied that the petitioner has established the trinity parameters for an ad-interim order. Hence, the petitioner's prayer for an interim relief is declined.

Post after summer vacation.



Sd/- C.S.DIAS, JUDGE

AJ