

CMA.No.2441 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 28 .08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

C.M.A.No.2441 of 2025

and

CMP.No.20616 of 2025

Sun TV Network Ltd.,
Represented by its Authorised Signatory
Mr.M.Jyothibasu
Murasoli Maran Towers,
73, MRC Nagar Main Road,
MRC Nagar,
Chennai-600 028.

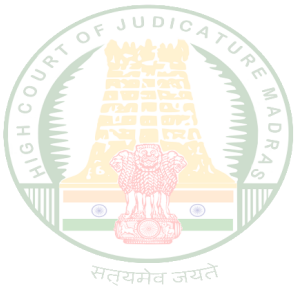
... Appellant

vs.

Central Board of Film Certification,
By its Regional Officer,
Shastri Bhawan
35 Haddows Road,
Nungambakkam,
Chennai-600 006.

... Respondent

PRAYER: Civil Miscellaneous Appeal filed under Section 104 and Order XLIII of the Code of Civil Procedure, praying to set aside the order passed by the respondent dated 04.08.2025 in CAO32607202500031 issuing “A” Certificate and direct the respondent to issue U/A certificate for the movie 'Coolie'.



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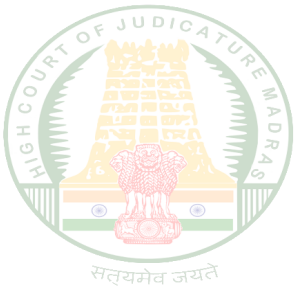
For Appellant : Mr.Ravindran, Senior Counsel
for M/s.M.Sneha
For Respondent : Mr.AR.L.Sundaresan
Additional Solicit General
Asst. by Mr.A.Kumaraguru SPL

J U D G M E N T

The appellant has filed this Civil Miscellaneous Appeal to set aside the order passed by the respondent dated 04.08.2025 in CAO32607202500031 issuing “A” Certificate and direct the respondent to issue U/A certificate for the movie 'Coolie'.

2. Challenging the impugned order passed by the respondent on 04.08.2025 in CAO32607202500031, the appellant has preferred this appeal.

3. Heard Mr.J.Ravindran, learned Senior counsel for M/s.M.Sneha, learned counsel appering for the appellant. Mr.ARL.Sundaresan, learned Additional Solicit General (ASG), assisted by Mr.A.Kumaraguru, learned Senior Panel Counsel appearing for the respondent.

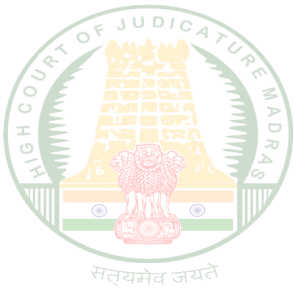


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4. Brief facts of the case are as follows:

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The appellant is a leading Television Network in South India and is also running several TV channels under the name and style of "Sun TV Network." Besides this, the appellant's company is also engaged in the production and distribution of movies through its reputed banner "Sun Pictures." Under this banner, nearly 29 movies have been produced, and copyrights of several movies in different languages have also been obtained. The appellant submits that it has produced a movie titled "*Coolie*" starring celebrated superstars Rajinikanth, Nagarjuna, Aamir Khan, and others. The movie, being a tribute to the superstar's 50 years in the film industry, was produced with the expectation of the general public, not only in Tamil Nadu but across the world, who eagerly awaited its release. On 28.07.2025, the appellant applied for certification as per Rule 22 of the Cinematograph Rules, 1983, before the respondent. After evaluation of the movie by the Examining Committee on 31.07.2025, the respondent board sent an e-mail stating that the movie could be certified only for adults ("A" Certificate), provided certain cuts were made, on the ground that the film contained frequent and extensive violence and depicted the celebration of killings.



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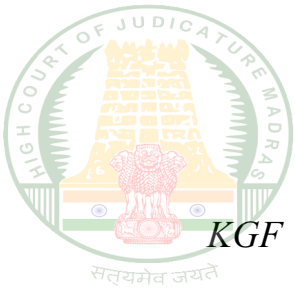
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5. Aggrieved by this, the appellant requested a review by the Revising Committee under Rule 25 of the Cinematograph (Certification) Rules, 1983. The Revising Committee also granted an “A” Certificate on 04.08.2025, reiterating that the content portrayed frequent and extensive violence. Since the movie was scheduled to be released on 14th August, the appellant released it, but nevertheless has the statutory right to challenge the impugned order. Hence, the present appeal is filed, contending that while the respondent has issued “U/A” Certificates to other movies with far more violence, an “A” Certificate has been arbitrarily and discriminatorily issued to “*Coolie.*”

6. The learned counsel for the appellant challenges the impugned order of the respondent on the following grounds:

(i) That the order of the Revising Committee of the respondent is arbitrary, illegal, discriminatory, and violative of Article 19(2) of the Constitution of India.

(ii) That the order is purely discriminatory. When movies like



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KGF and *Beast*, loaded with raw violence and gory killings, were issued with "U/A" Certificates, the present movie, which contains only minimal violence, was unjustifiably issued an "A" Certificate.

(iii) That the said movie nowhere glorifies drinking or killing. The acts of drinking and killing are depicted only as part of the storyline and are not glorified in any manner.

(iv) That the said movie nowhere degrades women or children and does not contain any scenes depicting sexual violence against them.

(v) That the violence and killing scenes blend naturally with the storyline and do not stand out so as to glorify violence. The reasons cited by the Revising Committee differ from those of the Examining Committee, but the Revising Committee, for reasons best known to it, arbitrarily and discriminatorily decided to issue an "A" Certificate.

(vi) That the respondent failed to consider the fact that, out of the total duration of 2 hours 50 minutes and 20 seconds (02:50:20), the scenes containing violence amount to only about 5 minutes, which cannot



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be termed as ‘frequent and extensive violence.’

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(vii) That the respondents do not have unfettered discretion in issuing certificates, and such certification must be within the legal framework, guidelines, and constitutional rights guaranteed under law.

(viii) That the respondent failed to consider that the movie depicts the life of a coolie and how they are exploited. Therefore, citing sustained portrayals of smoking and drinking as one of the reasons for refusal of a “U/A” Certificate is unsustainable.

(ix) That the same respondent had earlier issued a “U/A” Certificate to the movie *KGF*, which depicted violence, bloodshed, torture, and gore throughout the film. In that case, the respondent considered the contents as a whole before issuing the certificate, whereas in the present case, the respondent isolated only the violent portions and arbitrarily issued an “A” Certificate.

7. By submitting the above grounds, the learned senior counsel for the appellant argues that the respondent failed to view the movie as a



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whole and instead chose to view it in isolation, divorced from the overall content, which is arbitrary, illegal, and discriminatory. The learned counsel pointed out that while the respondent had issued “U/A” certificates to various movies such as the Telugu film *Dasara*, the Kannada movie *KGF*, and *King of Kotha*, all of which were rightly rated “U/A” after viewing the contents in their entirety, the same logic ought to have been followed for the subject movie *Coolie*. Instead, the Revising Committee merely endorsed the views of the Examining Committee and failed to consider the entire content of the movie. Therefore, the issuance of the impugned order by the respondent is discriminatory, arbitrary, and violative of the rights guaranteed under Article 19 of the Constitution of India. Accordingly, the appellant prays that the order passed by the respondent dated 04.08.2025 in CA032607202500031 be set aside.

8. The learned Additional Solicit General (ASG) appearing for the respondent submits that the Central Board of Film Certification (CBFC), constituted under the Cinematograph Act, 1952, performs the statutory function of certifying films for public exhibition under the provisions of the Act, as well as the Cinematograph (Certification) Rules,



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2024, and the Guidelines issued thereunder. It is further submitted that

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Section 5B(1) of the Cinematograph Act, 1952 lays down that a film shall not be certified for public exhibition if any part of it is against the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency, or morality, or if it involves defamation, contempt of court, or is likely to incite the commission of an offence. Section 5B(2) authorizes the Central Government to issue such directions as it may think fit, setting out the principles to guide the CBFC in sanctioning films for public exhibition. Pursuant to Section 5B(2), the Central Government issued the Guidelines for Certification of Films for Public Exhibition in 1991.

9. In accordance with the Guidelines, the objectives of film certification are:

- (i) To ensure that the medium of film remains responsible and sensitive to the values and standards of society;
- (ii) To ensure that artistic expression and creative freedom are not unduly curtailed;
- (iii) To ensure that certification is responsive to social change;
- (iv) To ensure that the medium of film provides clean and



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healthy entertainment; and

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(v) To ensure that films possess aesthetic value and are of good cinematic standard.

10. The learned Senior counsel further submits that films must be judged in their entirety from the perspective of their overall impact, taking into account the period depicted, the contemporary standards of society, and the people to whom the film relates, provided that the film does not deprave the morality of the audience. It is further submitted that the application for certification of the Tamil film *Coolie* was made on 28.07.2025. As per Rule 23(2)(b) of the Cinematograph (Certification) Rules, 2024, the Examining Committee, comprising four Advisory Panel Members from different walks of life along with the Examining Officer (Regional Officer), was constituted to examine the film. The film was examined on 30.07.2025. After detailed deliberations, the Committee unanimously recommended the grant of an “A” Certificate subject to modifications. This recommendation was orally communicated to the applicant during the hearing, and the same was accepted by the applicant. Accordingly, a notice was issued on 31.07.2025 clearly indicating the recommended certificate category, i.e., “A” Certificate subject to



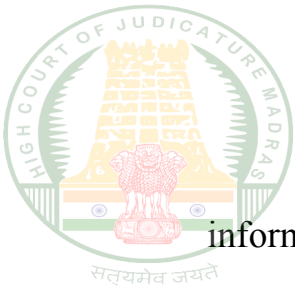
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modifications, along with reasons.

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11. In response, the applicant submitted a request for review by the Revising Committee on 31.07.2025. As per Rule 25(2) of the Cinematograph (Certification) Rules, 2024, the Revising Committee was constituted by the Chairman, CBFC, Mumbai. The film was examined on 01.08.2025 by the Revising Committee, which comprised Advisory Panel Members from diverse fields and was presided over by a Board Member of the CBFC, a renowned director in cinema, theatre, and television, and a recipient of eight National Awards and fifteen State Awards. In accordance with Rule 25(6), no member of the Examining Committee was included in the Revising Committee. After viewing the film in its entirety and holding detailed discussions, the Revising Committee recommended an “A” Certificate subject to modifications, citing frequent and extensive violence, strong threatening moments, sustained portrayal of smoking and drinking, and occasional use of bad language. The Committee considered the overall impact of the film and did not assess it in isolation, as alleged by the appellant.

12. The respondent further submits that the appellant was also

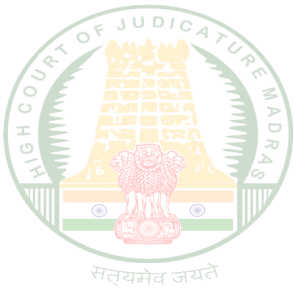


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informed that a “UA 16+” Certificate could be considered if substantial modifications were made to the visuals. However, during the oral hearing, the appellant stated that it was ready to accept an “A” Certificate without such modifications. Accordingly, the notice dated 04.08.2025 was issued to the appellant, clearly indicating the category of certificate granted, “A” with modifications, and the reasons therefor. The “A” Certificate was subsequently issued.

13. It is further pointed out that the Revising Committee is a larger and independent expert body. The film was examined twice, by two different committees comprising members from diverse walks of life. Both committees, acting in the larger public interest and within the framework of the Act, independently concluded that the film was not suitable for children and recommended an “A” Certificate. During the oral hearing, the Revising Committee also informed the appellant that if he desired an “Unrestricted UA 16+” rating, substantial modifications would be required. The appellant, however, declined to make any cuts to remove scenes involving violence, threats, or intoxication, and instead accepted the “A” rating.

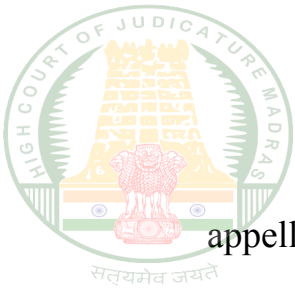


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14. As per Rule 27 of the Cinematograph (Certification) Rules, 2024, certification can be issued only after the producer agrees to the Board's order with respect to (i) rating, or (ii) suggested modifications, or (iii) both, and submits the same in Form IX. In this case, the appellant agreed and surrendered the cuts vide Form IX on 04.08.2025, and the certificate was issued the same day under CC No. DIL/3/13/2025-Che, dated 04.08.2025. This clearly establishes that the appellant was not aggrieved by the final opinion of the Revising Committee. The appellant subsequently dubbed the film in Hindi, Telugu, and Kannada, and applied for certification in those languages after obtaining the "A" Certificate for the Tamil version, further demonstrating that the appellant had consciously accepted the decision.

15. By submitting the above objections, the learned Additional Solicit General appearing for the respondent contends that the present appeal is not maintainable in law, as the appellant has appealed not against the show-cause notice dated 04.08.2025 but after having accepted and received the "A" Certificate. It is argued that sufficient opportunities were provided by both the Examining and Revising Committees, and once the

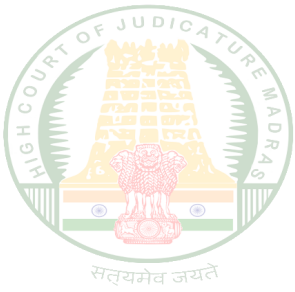


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appellant accepted the Revising Committee's decision, it cannot now claim to be an aggrieved party entitled to prefer an appeal.

16. The learned ASG further submits that if the appellant desires to exhibit the film to a larger audience, the Cinematograph Act, under Section 4(3) read with Rule 22(2) of the Cinematograph (Certification) Rules, 2024, permits a fresh application with an edited version for exhibition on other platforms, such as satellite television. Such an application would be considered afresh. It is further argued that the films cited by the appellant, such as *KGF*, cannot be taken as precedents, as each film must be judged independently on its own content. The decision of both Committees was made after viewing the film in its entirety, and hence there was no discrimination.

17. It is also emphasized that the appellant was expressly given the option of a "UA 16+" rating, subject to modifications, but chose to accept an "A" Certificate without making any cuts. Therefore, the decision for "A" certification was a well-informed one, accepted and acted upon by the appellant. Hence, the present appeal is devoid of merit, and the decision of the Board is just, proper, and does not warrant interference.



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18. On considering the submissions of both sides, it is seen that the appellant has challenged the order passed by the Revising Committee dated 04.08.2025, whereby the respondent-Board issued a film certification “A with Excisions/Modifications” for the movie *Coolie*.

19. The film *Coolie* was first examined by the Examining Committee. The respondent-Board, after such examination, came to the conclusion that the film was not suitable for unrestricted public exhibition but could be exhibited for adults, subject to excisions/modifications. Accordingly, on 31.07.2025, the Examining Committee directed the appellant/producer to carry out certain excisions/modifications and recommended an “A” Certificate with such conditions. The reasons were recorded as follows:

“The film is evaluated in its overall aspects. This action film contains frequent and extensive violence throughout the movie, with very few gory / brutal image. “Few Characters in the movie characterised as celebrate killing or inflicting pain / injuries” along with frequent severely threatening moments with occasional bad language. There is also consistent focus on smoking and drinking. Hence the film is recommended for “A” Certification.”

20. Aggrieved, the appellant preferred an appeal before the



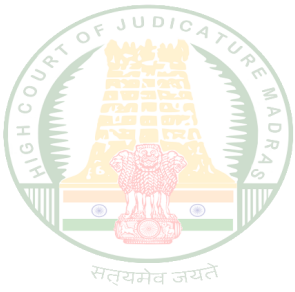
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Revising Committee. On 04.08.2025, the respondent -Board informed the appellant that the Revising Committee had viewed the film and concurred with the findings of the Examining Committee. The Revising Committee also concluded that the film was not suitable for unrestricted public exhibition but suitable for public exhibition restricted to adults, subject to excisions/modifications. The reasons assigned were reiterated as follows:

“The film is evaluated in its overall aspects. The content and presentation portrays frequent and extensive violence, frequent strong threatening moments, along with sustained portrayal of smoking and drinking with occasional bad language. Hence the film is recommended for ‘A’ Certification.”

21. The appellant thereafter complied with the excisions/modifications suggested by the Board, and finally, on 04.08.2025, the respondent issued an “A” Certificate with excisions/modifications for theatrical release. The film *Coolie* was released on 14.08.2025 not only in Tamil Nadu but across India. Subsequently, the appellant has challenged the reasons assigned by the Board for issuing the “A” Certificate.

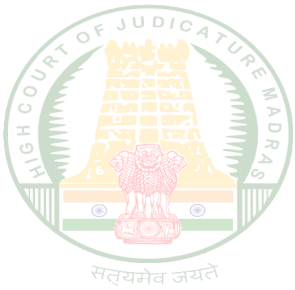


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22. During arguments, the learned counsel for the appellant contended that the reasons assigned by the Examining Committee differ from those of the Revising Committee. This, according to him, shows that the Revising Committee did not accept the evaluation made by the Examining Committee. He further argued that while issuing the “A” Certificate on 04.08.2025, the Revising Committee did not specifically state that “few characters in the movie are characterised as celebrating killing or inflicting pain/injuries.” Thus, the Revising Committee impliedly rejected the findings of the Examining Committee, and therefore, it ought to have granted a “U/A” Certificate instead of arbitrarily granting an “A” Certificate with vague reasons. Hence, the order is illegal, arbitrary, and liable to be set aside.

23. At this juncture, the learned ASG appearing for the respondent pointed out that both the Examining Committee as well as the Revising Committee consist of experts from various fields, and they viewed the movie from the public perspective, keeping in mind the object of the Cinematograph Act, 1952. He referred to Section 5-B of the Act, which provides as follows:



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“5-B Principles for guidance in certifying films:

(1) A film shall not be certified for public exhibition, if, in the opinion of the authority competent to grant the certificate, the film or any part of it is against the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality, or involves defamation or contempt of Court, or is likely to incite the commission of any offence.

(2) Subject to the provisions contained in sub-section (1), the Central Government may issue such directions as it may think fit, setting out the principles which shall guide the authority competent to grant certificates under this Act in sanctioning films for public exhibition.”

24. The reports of both Committees were also perused. The record shows that the appellant appeared before both Committees and was heard. The Examining Committee concluded that “few characters in the movie celebrate killing or inflicting pain/injuries, along with frequent severely threatening moments and occasional bad language. There is also consistent focus on smoking and drinking. Hence the film is recommended for ‘A’ Certification.” This recommendation was unanimous.

25. The Revising Committee, after detailed discussions, concurred with the views of the Examining Committee and unanimously recommended the grant of an “A” Certificate subject to modifications. The Revising Committee noted that the content and presentation depicted violence, liquor consumption, and smoking, and therefore, considering the



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overall impact, recommended “A” Certification in accordance with the Guidelines issued under the Act and Rules. Indeed even before Revising Committee appellant not specifically plead to issue UA16+ certificate.

26. The report of the Revising Committee further reveals that the appellant was also heard and informed that if he desired a “UA 16+” Certificate, substantial modifications in visuals would be required. However, the appellant agreed to accept an “A” Certificate without opting for such modifications. The Revising Committee unanimously concluded that the film, viewed in its overall aspects, portrayed frequent and extensive violence, strong threatening moments, sustained portrayal of smoking and drinking, and occasional bad language. Hence, the film was recommended for “A” Certification.

27. The order of the Revising Committee was communicated to the appellant, who also expressed readiness to accept the “A” Certificate. At present, the appellant contends that though he accepted the “A” Certificate in order to release the film as scheduled, he retains the statutory right to challenge the same. The appellant further argues that the object of



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the movie is to depict the pain and sufferings of coolies, and the film ought to be viewed from their perspective. Since the dialogues and scenes involving smoking and consumption of alcohol form part of their life in reality, the inclusion of such elements was necessary to handle the theme authentically. Therefore, the Board ought to have evaluated the film as a whole rather than insisting on cuts and modifications, which is arbitrary and requires interference.

28. To support his submissions, learned counsel for the appellant relied upon the ratio laid down in **1970 (2) SCC 780, K.A.Abbas Vs.The Union or India and another, para 48**, wherein the Hon'ble Supreme Court laid down principles to be carefully applied by censors when examining a film alleged to be objectionable on the grounds of indecency or immorality.

29. Per contra, the learned ASG submitted that as per the Guidelines formulated pursuant to the said authority, the Cinematograph Rules were amended, and Guidelines for Certification of Films for Public Exhibition were issued on 06.12.1991. The "A" Certificate in the present



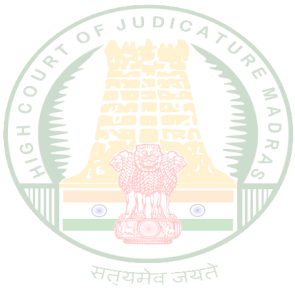
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case was issued strictly following these Guidelines.

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30. The Guidelines for Certification of Films for Public Exhibition state, inter alia:

1. The objective of film certification is to ensure that—
 - (a) the medium of film remains responsible and sensitive to the values and standards of society;
 - (b) artistic expression and creative freedom are not unduly curtailed;
 - (c) certification is responsive to social change;
 - (d) the medium of film provides clean and healthy entertainment; and
 - (e) as far as possible, films are of aesthetic value and of good cinematic standard.
2. In pursuance of these objectives, the Board of Film Certification shall ensure that—
 - (i) anti-social activities such as violence are not glorified or justified;
 - (ii) modus operandi of criminals or depictions likely to incite offences are not shown;
 - (iii) scenes involving children in violence or abuse are not needlessly presented;
 - (iv) pointless or avoidable scenes of violence, cruelty or horror are not shown;
 - (v) scenes glorifying or justifying drinking are not shown;
 - (vi) scenes glamorising drug addiction are not shown;



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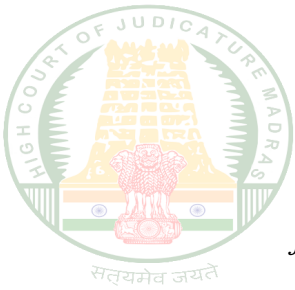
- (vi-a) scenes glamorising consumption of tobacco or smoking are not shown;
- (vii) vulgarity, obscenity, or depravity offending human sensibilities is not shown;
- (viii) dual meaning words catering to baser instincts are not allowed.

Accordingly, an “A” Certificate was issued.

31. In reply, the learned counsel for the appellant reiterated that the film must be viewed from the perspective of a coolie’s life, not from that of an elite or urban audience. To that effect, he relied on the ratio laid down in **(1989) 2 SCC 574, S. Rangarajan v. P. Jagjivan Ram & Ors., para 20**, wherein the Supreme Court emphasized that the approach to films must account for the theme and context of the content in question.

20. Recently, Sabyasachi Mukharji, J., in Ramesh V. Union of India, which is popularly called “Tamas” case laid down the standard of judging the effect of the words or expression used in the movie. The learned Judge quoting with approval of the observation of Vivian Bose, J., as he then was, in the Nagpur High Court in the case of Bhagwati Charan Shukla V. Provincial Government said: (SCC P.676, para 13)

.... That the effect of the words must be judged from the standards of reasonable, strong-minded, firm and courageous men, and not those of weak and vacillating minds, nor of those who scent danger in every hostile point of view. This in our opinion, is the correct approach in



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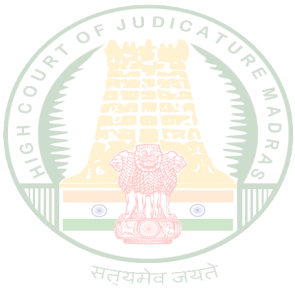


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judging the effect of exhibition of a film or of reading a book. It is the standard of ordinary reasonable man or as they say in English law, “ the man on the top of the Clampham ombibus”.

32. By way of reply, the learned ASG pointed out that in paragraph No.52 of the same judgment, the Full Bench of the Hon'ble Apex Court clarified that the members of the two Revising Committees, hailing from different walks of life with varied experience and representing the cross-section of the community, had judged the film in the light of the objectives of the Act as well as the guidelines. Therefore, nothing was found wrong in the findings of the said Committees. This has been described in paragraph No.52 of the same judgment, which reads as follows:

“52.In this case, two Revising committees have approved the film. The members thereof come from different walks of life with variegated experiences. They represented the cross-section of the community. They have judged the film in the light of the objectives of the Act and the guidelines provided for the purpose. We do not think that there is anything wrong or contrary to the Constitution in approving the film for public exhibition. The producer or as a matter of fact any other person has a right to draw attention of the government and people that the existing method of reservation in educational institutions



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over looks merits. He has a right to state that reservation could be made on the basis of economic backwardness to the benefit of all sections of community. Whether this view is right or wrong is another matter altogether and at any rate we are not concerned with its correctness or usefulness to the people. We are only concerned whether such a view could be advocated in a film. To say that one should not be permitted to advocate that view goes against the first principle of our democracy.”

33. Considering the submissions of both sides, as well as the reports of the Committees, it is revealed that the members of both Committees unanimously resolved to issue an “A” certificate with certain modifications. The appellant was also informed that if he desired an “Unrestricted UA 6+” rating, substantial modifications in visuals would be required. The option of choosing a “UA 16+” rating was also given to him. However, the appellant did not agree to accept excisions or modifications in view of the theme of the movie. It was further clarified that if the petitioner was inclined to execute the modifications, he could re-present the movie for certification under the “UA+” category even still that liberty is available to the appellant. Therefore, subject movie was viewed in its entirety, keeping in mind the objectives of the Act, and the Committees



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followed the guidelines for certification of films for public exhibition with paramount consideration of social impact on young generation. Therefore, the contention of the appellant is devoid of merits.

34. Hence, this Court finds that the grounds raised by the appellant are not sustainable in law. Accordingly, the Civil Miscellaneous appeal is dismissed as on merits. There shall be no order as to costs.

28.08.2025

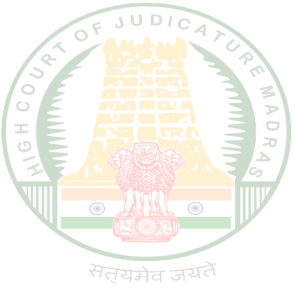
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Speaking/Non-speaking order
Neutral Citation: Yes/No
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To

1.The Central Board of Film Certification,
By its Regional Officer,
Shastri Bhawan
35 Haddows Road,
Nungambakkam,
Chennai-600 006.

2.The Section Officer, VR Section,
Madras High Court, Chennai.

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T.V.THAMILSELVI, J.

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