

**THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

FRIDAY, THE TWENTY SIXTH 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. 8-2-269/5/79, SAGAR SOCIETY, ST NO - 7, RD NO - 2, BANJARA HILLS, HYDERABAD, Telangana, India - 500034.
4. M/s Sudarshan 35MM, RTC X Road, Chikkadpally, Himayatnagar, Hyderabad, Telangana 500020. Rep. by its authorised signatory Mr. Tadla Vishwamber.

(R-4 is impleaded vide IA. No. 3 of 2025 by the court order dated 26.09.2025)

...Respondents

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.

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 petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated 24.09.2025 made herein and upon hearing the arguments of Sri Vijay Gopal, Advocate for the Petitioner, GP for Home for Respondent Nos.1 & 2, Sri Avinash Desai, Learned Senior Counsel representing Sri Sirgapoor Sahil Reddy for respondent No.3 and Qazi Salar Masood Aatif for respondent No.4.

The Court made the following

ORDER:

Today, this matter has been listed under the caption "On Remand from the Division Bench".

It is brought to the notice of this Court that the respondent No.3, DVV Entertainments, preferred an appeal in W.A. No.1094 of 2025 against the interim order dated 24.09.2025 passed by this Court in the present writ petition i.e. W.P. No.29214 of 2025 wherein and whereby the Hon'ble Division Bench of this Court while disposing of the said writ appeal directed to remand the matter to this Court with a request to pass appropriate orders on 26.09.2025 in accordance with law, without being influenced by any of the observations made by the Hon'ble Division Bench in the said writ appeal and till passing of orders by this Court, the interim order dated 24.09.2025 passed by this Court was kept abeyance.

In pursuance to the said direction, the matter has been taken up for hearing.

Learned Senior Counsel Sri Avinash Desai appearing for the respondent No.3 would submit that the petitioner in the writ affidavit nowhere stated as to how his rights are affected except stating that he is an avid movie goer and questioned the impugned Memo dated 19.09.2025 in his individual capacity and that the averments made in the writ petition are in the nature of Public Interest Litigation and ought to have filed PIL. As such, this Court is not a proper Forum. The learned Senior Counsel has drawn the attention of this Court to Section 12 of the A.P. Cinemas (Regulation) Act, 1955 and would submit that the Government has the power to exempt certain conditions and restrictions and further submits that the respondent No.3 made an application dated 17.09.2025 to the Minister for Cinematography requesting for enhancement of Cinema ticket rates and permission for premier show and in the said application, it is submitted that the movie is produced at a very high budget to reach the expectation of the audience and to avoid black marketing during the Dussehra festival period, requested to allow to screen the film through out Telangana State as per the following enhanced Cinema Ticket rates. *"On 25.09.2025 early morning at 1.00 am (only one premier show) with ticket rate of Rs.1000/- including GST. From 25.09.2025 to 05.10.2025 (11 days) for regular 5 shows a day enhancement of Rs.100/- (One hundred only) for the Single theatres and Rs.150/- (Rupees one hundred and fifty only) for the Multiplex theatres including GST apart from the existing ticket rates in all released theatres in Telangana State."*

The learned Senior Counsel has drawn the attention of this Court to the impugned Memo dated 19.09.2025 and submitted that after careful examination, the Government allowed screening of one show and hike in ticket rates only for one show at 9.00 PM on 24.09.2025 with ticket rate of Rs.800/- (including GST) for this show only and enhanced rates for all theatres i.e. Single Screens Rs. 100/- hike in rate per ticket,

including (GST), Multiplexes Rs.150/- hike in rate per ticket (including GST) with effect from 25.09.2025 to 04.10.2025 i.e. only for (10) days. The said increase would benefit the State exchequer by way of collecting GST and the said impugned Memo dated 19.09.2025 is a reasoned order as per Section 12 of the Act. The learned Senior Counsel would submit that the petitioner ought to have made an application under Section 7-A of the Act seeking for review of the impugned memo.

The learned counsel for the petitioner would submit the petitioner is personally aggrieved by the impugned memo as such filed the present writ petition and that if the personal rights of the petitioner are affected, the writ petition is maintainable. In support of his contention, the learned counsel has drawn the attention of this Court to the order dated 31.01.2024 passed in W.P. (PIL) No.6 of 2024, wherein the Hon'ble Division Bench of this Court has observed that "From a perusal of paragraph 3.1 of the writ petition, it is evident that the petitioner himself has stated in the writ petition that he is personally aggrieved by the decision taken by the State Government vide G.O.Ms.No.47 dated 08.12.2023 which provides for free travel to women in the buses run by the Telangana State Road Transport Corporation. In view of the aforesaid submission made in paragraph 3.1 of the writ petition, office is directed to register the same as a writ petition.

The learned counsel for the petitioner has placed a copy of the G.O.Ms.No. 120 dated 21.12.2021 and submitted that the said G.O. has been issued considering the directions of this Court order dated 31.10.2016 passed in W.Ps. No. 18779, 19046 of 2016, wherein it is clearly mentioned that the theatres should print the rates of admission of tickets, clearly indicating, GST, maintenance charges as applicable and the online charges separately on all tickets. Since the said G.O.Ms.No. 120 dated 21.12.2021 has been issued in pursuance to the orders dated 31.10.2016 of the Hon'ble Division Bench and in spite of the same, the impugned memo is issued which is in clear contravention to the said G.O. Ms.No.120 dated 21.12.2021 and no reasons/grounds in writing have been assigned justifying enhancement of the ticket rates in terms of Section 12 of the Act.

The learned Senior Counsel Sri S.Niranjan Reddy appearing for the implead petitioner/proposed respondent No.4 would submit that the interim order passed by this Court would have drastic effect on the financials on the implead petitioner wherein tickets have already been sold and would effect the stakeholders and at this point of time, refund of amount would be impossible. Since the State Government has not filed any counter in any of the pending matters and counter is required for deciding the issues involved in this writ petition as well in pending writ petitions, this writ petition may be decided at the final hearing stage and prayed to vacate the interim order passed by this Court.

Per contra, the learned Government Pleader for Home would submit that it is not a benefit show and is given based on the request made by the respondent No.3 and justifies the impugned memo.

Heard the submissions made by the learned counsel for the petitioner, learned Senior Counsel S.Niranjan Reddy appearing for the Implead Petitioner, the learned Government Pleader for Home and the learned Senior Counsel Avinash Desai appearing for the respondent No.3.

The learned Government Pleader till date has neither placed any written instructions nor counter is filed justifying issuance of the impugned memo dated 19.09.2025 referring to G.O.Ms.No.120 and also complying the provisions of the Act.

On a perusal of the impugned memo, admittedly it has been issued on the request made by the respondent No.3. The Special Chief Secretary to Government has issued the impugned memo referring to the G.O.Ms.No.120, dated 21.12.2021, which emanates from the common order dated 31.10.2016 passed in W.Ps.No.18779, 19046 of 2016 and batch of this Court. The Special Chief Secretary to Government in all fairness ought not to have issued the impugned memo prescribing the rates, which are in contravention of the G.O.Ms.No. 120 dated 21.12.2021 and more so, the Government took a firm stand that there shall not be hike for any benefit shows. The learned Government Pleader did not explain how the Government justified in issuing the impugned Memo dated 19.09.2025 (though has a reference of G.O.Ms.No.120 dated 21.12.2021) wherein rates have been prescribed and that the Hon'ble Division Bench of this Court in W.P. (PIL) Nos.74 and 97 of 2021 and W.A. Nos.864 of 2017 and batch had directed the State Government to ensure strict compliance of the rates prescribed in the G.O.Ms.No.120 dated 21.12.2021.

It is also pertinent to note that there are other writ petitions No.1184 and 1189 of 2025 and 33923 and 37007 of 2024, which are pending before this Court on the issue of enhancement of ticketing price and other reliefs. It is also to be noted that admittedly the said G.O.Ms.No. 120 dated 21.12.2021 is still subsisting as on today as such, the respondent No.1 is bound by their own Government Order and comply the orders passed by the Hon'ble Division Bench of this Court and till date no counter has been filed. If the interim order dated 24.09.2025 passed by this Court is modified/vacated with respect to increase of prices of tickets and continuing the same would be a clear violation of the orders passed by the Hon'ble Division Bench of this Court passed in W.P. (PIL) Nos.74 and 97 of 2021 and W.As. No.864 of 2017 and batch. Unless a detailed counter is filed by the respondent No.1, the controversy involved this writ petition cannot be decided finally. That apart, stakeholders, who are party in the pending writ petitions before this Court are ought to have been diligent in pursuing the matters. The impugned memo is bereft of reasons in terms of Section 12 of the Act.

In that view of the matter, in the light of the order dated 23.12.2021 passed in W.P. (PIL) Nos.74 and 97 of 2021 and W.A.Nos.864 of 2017 and batch by the Hon'ble Division Bench of this Court and the order dated 31.10.2016 passed in W.Ps. No. 18779, 19046 of 2016 and batch which was considered in G.O.Ms.No.120 dated 21.12.2021 as such, the impugned memo dated 19.09.2025 is in contravention to the said orders, this Court deems it appropriate to extend the interim order dated 24.09.2025 passed by this Court.

In view of the same, interim order dated 24.09.2025 passed by this Court in W.P. No.29214 of 2025 is extended till next date of hearing i.e. 09.10.2025. Further, the competent authority shall ensure to implement the interim order dated to 24.09.2025 passed by this Court in their respective jurisdictions.

The Registry is directed to communicate this order to the respondent No.1 by tomorrow.

The Registry is directed to list the matter on 09.10.2025. In the meanwhile, the respondent No.1 shall file counter.

**SD/-N.CHANDRA SHEKAR
DEPUTY REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, State of Telangana, Department of Home, Telangana Secretariat, Khairatabad, Hyderabad, Telangana 500022.
(By Special Messenger)
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.
(By Special Messenger)
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
4. The Authorised Signatory Mr. Tadla Vishwamber, M/s Sudarshan 35MM, RTC X Road, Chikkadpally, Himayatnagar, Hyderabad, Telangana 500020.
(For 3 & 4 by RPAD)
5. One CC to Sri Vijay Gopal Advocate [OPUC]
6. Two CCs to GP FOR HOME, High Court at Hyderabad. [OUT]
7. One spare copy

HIGH COURT

NVSK,J

DATED:26/09/2025

LIST ON 09.10.2025

ORDER

WP.No.29214 of 2025

INTERIM ORDER

