

(1991) 12 AP CK 0051

In the Andhra Pradesh High Court

Case No : Writ Petition No. 13736 of 1986

Venkateswara Talkies

APPELLANT

Vs

Govt. of A.P. and Others

RESPONDENT

Date of Decision : 06-12-1991

Acts Referred:

Andhra Pradesh Cinemas (Regulation) Rules, 1970 — Rule 7, 7(2), 7(5), 9(B)
Constitution of India, 1950 — Article 226

Citation : (1992) 1 ALT 693 : (1992) 1 ALT 69 : (1992) 1 AnWR 576 : (1992) 2 APLJ 190

Hon'ble Judges : Sivaraman Nair, J;Eswara Prasad, J

Bench : Division Bench

Advocate : K. Manikyala Rao, for the Appellant; The Govt. Pleader for Home for the Respondent Nos. 1 and 2 and E. Ella Reddy, for the Respondent No. 3, for the Respondent

Final Decision : Allowed

Judgement

1. In this Writ Petition a question of general importance and frequent occurrence is raised by Sri K. Manikyal Rao, learned counsel appearing for the petitioner, the question being whether the second proviso to Rule 9-B(c) of the A.P. Cinemas (Regulation) Rules, 1970, can be invoked in aid by an applicant for grant of permission to construct a cinema building when he furnishes false particulars or information in the application made by him to the licensing authority in Form A-I, which, when brought to the notice of the licensing authority, necessitates an enquiry into the truth or otherwise of the same, completion of which may exceed three months" time. In view of the importance of the question raised, I am of the opinion that this Writ Petition shall be heard by a Division Bench as there is no authoritative pronouncement on the question raised. Place the papers before the honourable the Chief Justice for appropriate orders of posting at an early date.

2. This petition coming on for final hearing before the Honourable Mr. Justice Sivaraman Nair and the honourable Mr. Justice Eswara Prasad on 6-12-1991

pursuant to the order of reference of this Court dated 28-9-1989 and passed herein upon perusing the said order dated 8-9-1989 and the petition and the affidavit filed therein and the report of the Collector Nizamabad dated 20-10-91 pursuant to this Court order dated 24-9-91 and on hearing the arguments of the Counsels appearing on behalf of the (Sic) concerned, the Court delivered the following Judgment.