

Chief Justice's Court

Case :- P.I.L. CIVIL No. - 85 of 2021

Petitioner :- Cultural Quest Thru. Secretary Ms. Surbhi Singh

Respondent :- U.O.I. Thru Secy. Information & Broadcasting Ministry, & Ors.

Counsel for Petitioner :- Asok Pande

Hon'ble Govind Mathur, Chief Justice

Hon'ble Ramesh Sinha, J.

This petition for writ is preferred to have an appropriate writ, order or direction to stop public exhibition of TV serial “NamakIsqa Ka” as it’s promo wrongly puts a question mark to marry the ladies who have danced on any occasion.

The petitioner, a society, has approached this Court on the count that the TV serial above-named is being aired in violation of the provisions of Cinematograph Act, 1952 (hereinafter referred to as “Act, 1952”).

According to learned counsel for the petitioner, a TV serial too is a film as defined under Section 2(dd) of the Act, 1952 and, as such, the same should also be subject to censor by Censor Board established under Section 3 of the Act, 1952.

Having considered the facts stated in the petition for writ, we are of considered opinion that the petitioner is seeking a writ in the nature of mandamus and for that, a condition precedent is that the person aggrieved must make a demand to the Authority competent before approaching the Court to have such writ. In the instant matter, no such demand has been made by the petitioner before approaching this Court under Article 226 of the Constitution of India.

In view of it, the writ petition is dismissed. The petitioner is at liberty to make the demand first to the Authority concerned.

Order Date :- 6.1.2021

VMA

(Ramesh Sinha, J.) (Govind Mathur, C.J.)