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CMA No. 73 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-04-2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

CMA No. 73 of 2026

Youreka Cinema School
rep. by its Proprietor Mr.J.Joseph Mohan Kumar,
D.No. C1, No. 31/14, 1st Floor,
Jains Athisaya Apartments,
Circular Road, United India Colony,
Kodambakkam,
Chennai-24.

..Appellant(s)

Vs.

1. The Chairman
Central Board of Film Certification,
Films Division Complex,
Phase-I Building,
9th Floor,
G.Deshmukh Marg,
Mumbai-26.
2. The Regional Officer
Central Board of Film Certification,
Shastri Bhavan,
No. 35, Haddows Road,
Chennai-06.

.Respondent(s)

Prayer : This Civil Miscellaneous Appeal is filed under Section 5 (C) of the Cinematography Act, 1952. to set aside the Refusal Certificate dated 16.12.2025 issued by the 1st respondent bearing No.CA031009202500022, endorsing the reasoning of the 2nd respondent herein dated 29.09.2025 and consequently direct the respondents to reconsider the appellant's application for certification.

For Appellant(s) : Mr.T.Mohan
Senior Counsel
for Mr.K.Chandramohan

For Respondent(s) : Mr.K.R.Samratt
Standing Counsel



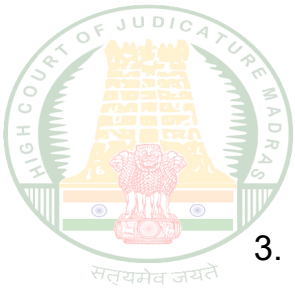
JUDGMENT

Aggrieved by the grant of “ Refusal” Certificate to the film “ Lakshmi Lawrance Kadhal” the Applicant /Producer has preferred this Civil Miscellaneous Appeal.

2. According to the appellant, he is the proprietor of the petitioner firm. His firm has produced a Tamil film titled as “Lakshmi Lawrance Kadhal” with final edited total duration of 2 hours, 07 minutes and 28 seconds. The film has been registered with M/s.South Indian Films Chamber of Commerce, which has issued a title registration letter and the film publicity clearance certificate. The film was processed by M/s.Qube Cinema Network. In this regard, a letter dated 05.09.2025 has been issued.

2.1 For public exhibition of the film, an application was made before the second respondent for certification under the Cinematograph Act, 1952 on 10.09.2025. On 16.12.2025, pursuant to the said application, the second respondent granted refusal certificate to the said film.

2.2. The impugned refusal letter issued by the second respondent is against the principles of natural justice, inasmuch as no opportunity was afforded to the petitioner to offer explanation.



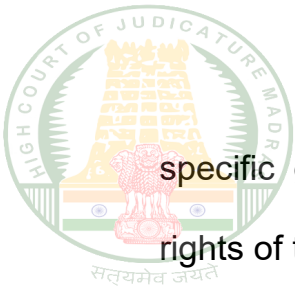
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3. Mr.T.Mohan, learned Standing Counsel for the appellant would vehemently contend that the impugned order of the respondent is cryptic and the statutory provisions have been merely reproduced without assigning proper reasons for refusal certification. He would further contend that, even assuming that certain scenes in the film are found to be in violation of the statutory guidelines prescribed under the Cinematograph Act, 1952, the respondent ought to have granted conditional certification instead of issuing a Refusal Certificate. It is his further argument that the impugned certificate lacks specificity and amounts to clear violation of the right to freedom of speech and expression as enshrined under Article 19(1)(a) of the Constitution of India.

4. To buttress his argument, the following Judgments were referred to :

- i) ***S.Rangarajan and Others vs. P.Jagjevan Ram and Others***, (1989) 2 SCC 574;
- ii) ***Directorate of Film Festivals and Others vs. Gaurav Ashwin Jain and Others***, (2007) 4 SCC 737;
- iii) ***Indibily Creative Pvt., Ltd., and Others vs. Govt.of West Bengal and Others***, (2020) 12 SCC 436;
- iv) ***Vetri Maaran vs. The Chairman, Central Board of Film Certification and Another***, W.P.No.31016 of 2025

5. He would further argue that without considering the principles laid down by the Courts in the aforesaid matters and in other similar matters, the respondents have passed the impugned refusal orders on vague and non-



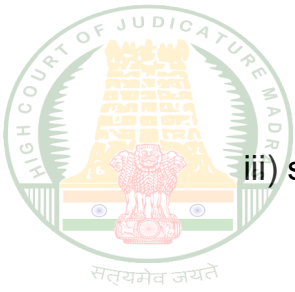
specific grounds without any specificity thereby infringing the fundamental rights of the appellant.

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6. Per contra, Mr.K.R.Samratt, learned Standing Counsel for the respondent would *inter alia* contend that as per Section 5B(1) of the Cinematograph Act, 1952, 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 thereof is against the interests of the sovereignty and integrity of India, 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 commission of any offence. He would further submit that as per Section 5B(2) of the Act, the Central Government has issued guidelines for certification of films for public exhibition.

6.1 The learned Standing Counsel would further argue that the object of Film Certification is to ensure that the medium of film is responsible and sensitive to the values, standards of society, artistic expression and creative freedom are not unduly curbed. Film Certification also plays a role in social change. The film should carry aesthetic value and cinematically of good standard. He would further enumerate the guidelines of the Board of Film Certification as follows:-

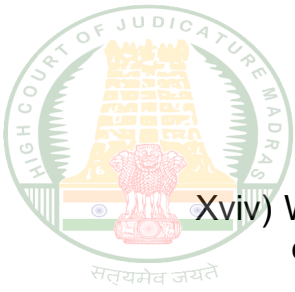
- i) anti-social activities such as violence are not glorified or justified.
- ii) the modus operandi of criminals, other visuals or words likely to incite the commission of any offence are not depicted.



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- iii) scenes-
- a) showing involvement of children in violence as victims or perpetrators or as forced witnesses to violence or showing children as being subjected to any form of child abuse.
 - b) showing abuse of ridicule of physically and mentally handicapped persons; and
 - c) showing cruelty to, or abuse of animals, are not presented needlessly .
- iv) pointless or avoidable scenes of violence, cruelty and horror, scenes of violence primarily intended to prove entertainment and such scenes as may have the effect of de-sensitizing or de-humanizing people are not shown.
- v) scenes which have the effect of justifying or glorifying drinking are not shown.
- vi) scenes tending to encourage, justify or glamorize drug addiction are not shown,
- vi-a_ scenes tending to encourage, justify or glamorize consumption of tobacco or smoking are not shown,
- vii) human sensibilities are not offended by vulgarity, obscenity or depravity;
- viii) such dual meaning words as obviously cater to baser instincts are not allowed
- ix) scenes degrading or denigrating women in any manner are not presented
- x) scenes involving sexual violence against women like attempt to rape, rape or any form of molestation or scenes of a similar nature are avoided, and if any such incidence is germane to the theme, they shall be reduced to the minimum, and no details are shown.
- xi) scenes showing sexual perversions shall be avoided and if such matters are germane to the theme they shall be reduced to the minimum and no details are shown,
- xii) visuals or words contemptuous of racial, religious or other groups are not presented,
- xiii) visuals or words which promote communal, obscurantist, anti-scientific and anti-national attitude are not presented.
- xiv) the sovereignty and integrity of India is not called in question,
- xv) the security of the State is not jeopardised or endangered,
- xvi) friendly relations with foreign States are not strained.
- xvii) public order is not endangered.
- xviii) visuals or words involving defamation of an individual or a body of individuals, or contempt of court are not presented.



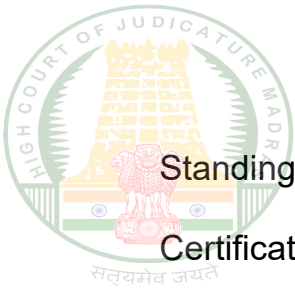
Xvii) Whether it confirm to the restrictions imposed by Article 19(2) of Constitution of India .

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6.2. The learned Standing Counsel would further contend that the film titled “Lakshmi Lawrance Kadhal” was examined in accordance with the guidelines issued under the Cinematograph Act, 1952, and that the film deals with sensitive issues relating to cultural and religious beliefs and practices, thereby violating guideline 2(xii) in multiple sequences, both in dialogues and visuals and is therefore not suitable for public exhibition.

6.3. It is further submitted that even upon an application before the Revising Committee, the said Committee examined the film, and held threadbare discussion, and recommended the decision of the Examining Committee. The Revising Committee came to the conclusion that it affects the social fabric of the society negatively and granted “refused certification”. The learned counsel for the respondent would submit that the refused certification was granted after taking into account the over all effect of the film. He would contend that the principles of natural justice have not been violated and that the freedom of speech and expression of the appellant has not been infringed in any manner.

7. Heard the arguments of the learned Senior Counsel Mr.T.Mohan for Mr.K.Chandra Mohan appearing for the Appellant/Applicant and the learned



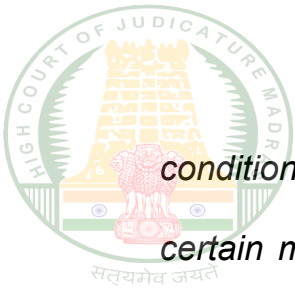
Standing Counsel Mr.K.R.Samratt for the respondent/Central Board of Film Certification.

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8. In order to decide the issue involved in this Civil Miscellaneous Appeal, the Film titled “Lakshmi Lawrance Kadhal” in the form of Pen Drive was received in a sealed cover from the learned counsel for the appellant. I viewed the entire film through laptop and thereafter posted the matter on 06.03.2026 and again heard the arguments.

9. As regards the Appeal against the grant of certificate, any person aggrieved by the order of Board may prefer Appeal before the High Court as per Section 5C(1). The scope of judicial review in matters relating to freedom of speech and expression under Article 19(1)(a) of the Constitution of India has been considered by the Hon’ble Supreme Court in **OM Kumar and Others vs. Union of India**, (2001) 2 SCC 386, wherein, it has been observed that “ ...42. while the Courts’ level of scrutiny will be more in case of restrictions on fundamental freedoms, the Courts give a large amount of discretion to the administrator in matters of high-level economic and social policy and may be reluctant to interfere .”

10. In the last fifty years, Administrative action in India affecting fundamental freedom has been tested on the anvil of “ proportionality. In **R.M.Seshadri vs, District Magistrate, Tanjore**, AIR 1954 SC 747, wherein a



condition in a licence issued to a cinema house to exhibit, at every show, a certain minimum length of “approved films” was questioned. The restriction was held to be reasonable.

11. *In S.Rangarajan vs. P.Jagjivan Ram, (1989) 2 SCC 574, an order refusing permission to exhibit a film relating to the alleged obnoxious or unjust aspects of reservation policy was held violative of freedom of expression under Article 19(1)(a) of the Constitution of India.*

12 On a careful perusal of the impugned Film Certification issued by the Central Board of Film Certification, it is pellucid that an opportunity was afforded to the appellant to put forth his views before the Examining Committee as well as Revising Committee, and that the said Committees also considered the same. Therefore, it cannot be said that there is any violation of the principles of natural justice while passing the impugned orders.

13. Freedom of speech is essential for the proper functioning of a democratic process. It is the bulwark of a democratic Government. This freedom occupies pioneer position and in the hierarchy of liberties giving succour and protection to all other liberties. Article 19(1)(a) should be read with the words “liberty” of thought, expression, belief, faith and worship” in the Preamble. This freedom is subject to reasonable restrictions which may be considered necessary in the interests of the general public.



WEB COPY 14. *The Preamble of Our Constitution is to be read with Article 51(A) relating to Fundamental Duties. In the present context, as per Article 51(A) (e) and (f) it shall be the duty of every citizen of India-*

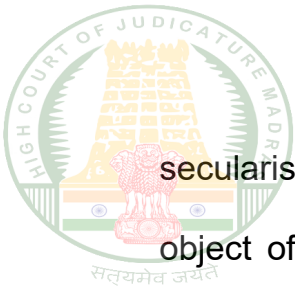
e) To promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women;

f) to value and preserve the rich heritage of our composite culture; The Preamble, Article 19 and the relative rights are co-related to fundamental duties enshrined under Article 51A of the Constitution. Therefore, we are Indians, based upon the constitutional mandate is accepted to follow constitutional dharma which means our action should be within the constitution. Fraternity means one is among all the individuals within the society.

15. It is relevant to refer to the observations about the closing speech of Dr.Ambedkar in the Constituent Assembly on 25.11.1949:

“.. The Principles of liberty, equality and fraternity are not to be treated as separate items in a trinity. They form a union of trinity in the sense that to divorce one from the other is to defeat the very purpose of democracy. Liberty cannot be divorced from equality, equality cannot be divorced from liberty. Nor can liberty and equality be divorced from fraternity. Without equality liberty would produce the supremacy of the few over the many. Equality without liberty, would kill individual initiative”.

16. It is pertinent to note that the word “ secular” was not presented originally in the Preamble. By the 42nd Constitutional Amendment in 1976, the word “ secular” was inserted. However, even before 1976, the concept of



secularism was embedded in the Indian Constitutional jurisprudence. The object of addition was to spell out the ideas of secularism and the need to maintain the integrity of the nation. The basis of the Indian Constitution is that all citizens are equal. It does not interfere with religious freedom and it does not allow religion to impinge adversely on the secular rights of citizens.

17. When we talk about the Article 19(1)(a) , the appellant's freedom to make a film is also subject to the restrictions under Article 19(2) of Constitution of India.

18. As regards, these fundamental rights, the Hon'ble Supreme Court in ***Atul Mishra vs. Union of India and Others, 2026 SCC Online SC 321***, has observed as follows:

21: A two-Judge Bench of this Court (of which I was also a member) in Imran Pratapgadhi vs. State of Gujarat, 2026(1) SCC 721, declared that one of the ;most important fundamental rights conferred on the citizens of India is under Article 19(1)(a) of the Constitution. It is the fundamental right to freedom of speech and expression. The bench highlighted the importance of freedom of expression in the following manner :-

48. Free expression of thoughts and views by individuals or groups of individuals is an integral part of a healthy, civilised society. Without freedom of expression of thoughts and views, it is impossible to lead a dignified life guaranteed by Article 21 of the Constitution. In a healthy democracy, the views, opinions or thoughts expressed by an individual or group of individuals must be countered by expressing another point of view. Even if a large number of persons dislike the views expressed by another , the right of the person to express the views must be respected by another, the right of the person to



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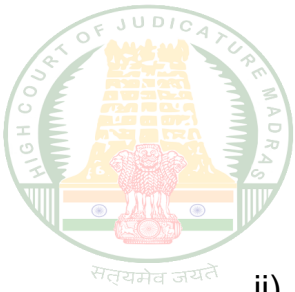
express the views must be respected and protected. Literature including poetry, dramas, films , stage, shows, satire and art, make the life of human beings more meaningful.”

19. As regards the rights of a film maker, in ***Directorate of Film Festivals and Ors. vs. Gaurav Ashwin Jain and Ors. (2007) 4 SCC 737***, wherein it has been held by the Apex Court that *the right of a film maker to make and exhibit his film, is a part of his fundamental right of freedom of speech and expression under Article 19(1)(a) and the restrictions imposed under Sections 4 and 5A of the Cinematograph Act, 1952 relating to certification by the Censor Board, by applying the guiding principles set out in Section 5B, are reasonable restrictions contemplated under Article 19(2).*

20. Making a film is a form of artistic expression. A film-maker has the freedom to express himself in a manner which is not prohibited by law. There are many authors who express their thoughts according to the choice of their words, phrases, expressions and create characters who may look absolutely different than an ordinary man would conceive of. The impugned refusal certificates are extracted hereunder :-

i) Reasons for grant of refusal certificate by the Central Board of Film Certification dated 29.09.2025 :

The film is evaluated in it over all aspects. The film while portraying the sensitive subject of Cultural and Religious beliefs and practices, violates guideline 2(xii) in multiple sequences both in dialogues and in visuals which may not be suitable for Public Exhibition. Hence, the Committee unanimously recommended “Refusal of Certificate”.



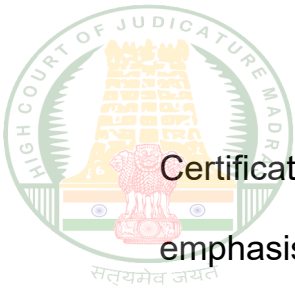
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ii) Reasons for grant of refusal certificate by the Central Board of Film Certification dated 16.12.2025 :

. The film was evaluated in its overall aspects. The RC unanimously while endorsing the reasoning and decision of the EC, it also added following reasoning. The film as a whole portrays its interpretation of various belief systems in their adaption of modern science, rituals based on beliefs, treatment of women and downtrodden, caste-based discrimination within each system and consistently portrays one belief system in bad light and the other one as emancipating throughout the film, maliciously. Overall, it affects the social fabric of the society negatively. Hence the film is “Refused” Certification.”.

21. In **Star Video vs. State of Uttar Pradesh, AIR 1994 ALL 25**, the Hon’ble Supreme Court has opined that *the exhibitor shows film merely to earn profit and not to propagate any ideas or arousing any public opinion and exhibitor of film could not be equated with circulation or distribution of newspaper. Exhibiting film is a commercial activity. Circulation of newspaper and magazine continues with a publisher. But the film after production goes out of the producer’s – hands for being exhibited by such persons as are totally unconnected with production.*

22. It is profitable to refer to the observations made by the Three Judges of the Hon’ble Supreme Court in **Bobby Art International and Others vs. Om Pal Singh Hoon and Others, (Bandit Queen) , (1996)4 SCC 1** , wherein by reversing the decision of the High Court, by stating that the film intended to evoke revulsion against crime and not to promote it. “ A”



Certificate was granted, allowing the film to be shown. The Apex Court emphasised that artistic expression, even if it is shocking is to be protected if it serves a larger, social purpose (condemning sexual violence) and is not intended solely for prurient interest.

23. As regards the nature of film, the Hon'ble Supreme Court has observed that in ***Nachiketa Walhekar vs. Central Board of Film Certification and another*** , 2018(1) SCC 778, for the stay of nation-wide release of a film "An Insignificant Man". " .. *Be it noted, a film or a drama or a novel or a book is a creation of art. An artist has his own freedom to express himself in a manner which is not prohibited in law and such prohibitions are not read by implication to crucify the rights of expressive mind. A thought-provoking film should never mean that it has to be didactic or in any way puritanical. It can be expressive and provoking the conscious or the sub-conscious thoughts of the viewer. If there has to be any limitation, that has to be as per the prescription in law*".

24. Movie maker is also a common man. His ideas, thoughts, views are expressed in a form of movie. Movie is nothing but art of expression. This Court is of the considered view that a film has to be viewed from the perspective of an ordinary person and it has to be judged in its entirety.. Any film is required to be judged in its entirety from the point of view of its overall impact, and is to be examined in the light of the period depicted in the film and



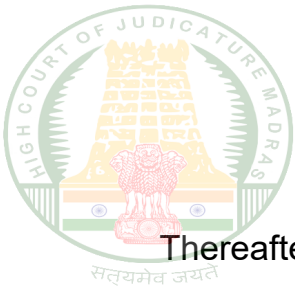
whether it confirms to the restrictions imposed by Article 19(2) of Constitution of India .

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25. That apart, as per Section 8 of the Cinematograph Act, 1952, Rules were framed vide notification dated 15.03.2024. As per Section 5 B(1), certain principles have been formulated for guidance while certifying films. The Revising Committee shall take into consideration grounds such as: i) sovereignty and integrity of India ii) the security of State iii) Public Order iv) decency or morality v) defamation vi) incitement of offence.

26. The sum and substance of the Appeal is that the Central Board of Film Certification is violative of the fundamental right enshrined under Article 19(1)(a) of the Constitution of India. No doubt, artistic freedom must be given a wide degree of latitude. The appellant would further state that the certification is cryptic; more so, the Board has granted a Refusal Certificate instead of certifying the film subject to conditions.

27. According to the appellant, the film is of romantic genre. It revolves around a love story between the hero Lawrance and Heroine Lakshmi. Lawrance is a student pursuing MBBS Degree, while Lakshmi is a nursing student and a Bharathanatiam dancer. Lawrance is singer of christian songs. Their relationship faces opposition from Lakshmi's father and her uncle and they attempt to kill Nancy (Hero's step mother) and Lawrance.



Thereafter, whether the Hero and Heroine joined together is the story

Undoubtedly, the Producer would have spent sizable amount for producing the film, with the fond hope, it will be released and he will make some profit.

28. It is not easy for persons belonging to a particular sect to accept portrayals that may affect their cultural, religious beliefs and practices.

29. Keeping in mind the interest of the Producer, it has to be considered whether excision or modification is possible. The total duration of the film is 2 hours 7 minutes and 28 seconds. Almost, in most of the scenes, the hero and the heroine appear, wherein the hero expresses to his fiancée that she has to perform Bharatanatyam for his Christian songs, that this line of story runs almost till the end of the film. Therefore, excision and modification are not possible.

30 In the above circumstances,, this Court of the considered view that the Central Board of Film Certification and Examining Committee and the Members of the Examining Committee have come to a conclusion in unison that the film is violative of guidelines 2(xii) in several sequences in dialogues as well as visuals and is therefore, not suitable for public exhibition. The Central Board of Film Certification is more conscious of the need to maintain the cultural and religious beliefs and practices of the citizens of India. The



reasons for refusals have been duly stated, and the portrayal in the film is violative of Article 19(2) of the Constitution of India.

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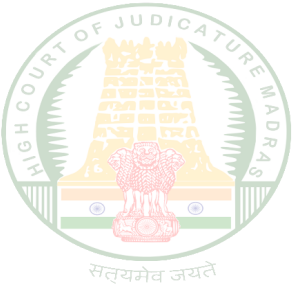
31. The impugned certificates dated 29.09.2025 and 16.12.2025 have been passed by the Revising Committee after following the principles of natural justice and upon due consideration of the report of the Examining Committee. The said Committee has also observed that the film is likely to have a negative impact on the social fabric. Of course, the certificate comprises four lines; however, it cannot be said that it is cryptic on going through the content. The reasons for refusal have been duly stated.

32. Based on the aforesaid observations and discussions, this Court is of the considered view that the impugned orders do not suffer from any infirmity or perversity. This Court also does not find any good reason to upset the findings of the Examining Committee and Revising Committee as well.

33. Based on the aforesaid narrative, this Civil Miscellaneous Appeal stands dismissed. Sequel to this, impugned Refusal Letter issued by the first respondent and the second respondent dated 29.09.2025 and 16.12.2025 stand confirmed. There is no order as to costs.

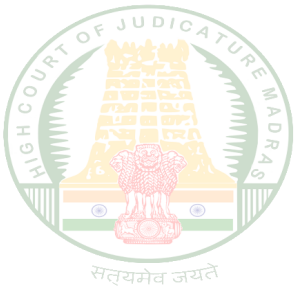
28-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
KKD



WEB **To** PY

1. The Chairman
Central Board of Film Certification,
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Phase-I Building,
9th Floor,
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2. The Regional Officer
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R.KALAIMATHI, J.,

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