

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

THURSDAY, THE 19TH DAY OF FEBRUARY 2015/30TH MAGHA, 1936

WP(C).No. 5205 of 2015 (A)

PETITIONER(S) :-

KARUVARAKUNDU FIVE STAR ARTS AND SPORTS CLUB
THARISU P.O., KARUVARAKUNDU, MALAPPURAM DIST.,
REPRESENTED BY GENERAL SECRETARY

BY ADVS.SRI.K.M.SATHYANATHA MENON
SMT.KAVERY S THAMPI

RESPONDENT(S) :-

1. THE SUB INSPECTOR OF POLICE
KARUVARAKUNDU POLICE STATION,
MALAPPURAM DISTRICT, PIN - 676 523.
2. THE CIRCLE INSPECTOR OF POLICE, PANDIKKAD,
MALAPPURAM DISTRICT, PIN - 676 521.
3. THE DISTRICT POLICE CHIEF,
MALAPPURAM - 676 505.

BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

jvt

APPENDIX

Petitioner's Exhibits :-

Ext.P1 :- True copy of the registration certificate issued by the District Registrar and Registrar of Societies, Malappuram dated 3.12.2014.

Ext.P1(a) :- English translation of Ext.P1.

Respondent's Exhibits :- NIL.

//True Copy//

P.A. to Judge

**ASHOK BHUSHAN, Ag. C.J &
A.M. SHAFFIQUE, J.**

W.P.(C) No.5205 of 2015

Dated this the 19th day of February 2015

J U D G M E N T

Shaffique, J.

The petitioner has approached this Court alleging harassment by the police. It is inter alia contended that the petitioner being a registered Club is conducting only local activities for its members, where game of cards is being played. The police is unnecessarily using their muscle power to compel the members of the petitioner Club to submit to their demand. It is submitted that the petitioner Club is functioning legally and without causing any nuisance to any member of the public and with good motive and has not violated any law.

2. Learned State Attorney on instructions would submit that earlier a crime has been registered against the petitioner Club for involving in offences under the Kerala Gambling Act and the petitioner has pleaded guilty. It is submitted that the petitioner has closed down the premises and started other trading activities and that the present attempt is to restart the Club.

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3. Having regard to the aforesaid factual situation, we do not think that the acts complained of amounts to any harassment. The police is duty bound to enquire whether any violation of Kerala Gambling Act is being carried on in the Club and the same will not amount to harassment.

Under such circumstances, we do not find it necessary to pass any order as prayed for in this writ petition. Hence, this writ petition is dismissed.

Sd/-
ASHOK BHUSHAN
Ag. CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE

Jvt