

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.29318 of 2014

&

M.P.No.1 of 2014

"Odour Plus"

Represented by its Secretary

Mr.Mathiarasan

S/o.Ratgubaswamy

Situated at

No.1250, Ram Nagar South

Madipakkam

Chennai - 600 091

... Petitioner

vs.

1. The Inspector of Police

Madipakkam Police Station

Madipakkam Chennai

2. The Assistant Commissioner of Police

Madipakkam Police Station

Madipakkam Chennai

3. The Joint Commissioner of Police

St. Thomas Mount Police Station

St. Thomas Mount

Chennai

4. The Deputy Commissioner of Police

St. Thomas Mount Police Station

St. Thomas Mount Chennai

5. The Commissioner of Police

Commissioner Office

Near Dhina Thanthi

Vepery Chennai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent not to interfere with the peaceful function of the ODOUR PLUS Recreation Centre which is situated at No.1250, Ram Nagar

South, Madipakkam, Chennai - 600 091 activities without the approval of the 2nd and 5th respondents as contemplated under the Tamil Nadu Gaming Act.

For Petitioner : M/s.M.Malar

For Respondents : Mr.S.Gunasekaran
Govt. Advocate

O R D E R

Heard Ms.M.Malar, learned counsel appearing for the petitioner and Mr.S.Gunasekaran, learned Government Advocate appearing for the respondents.

2. The petitioner seeks for a direction to the first respondent not to interfere with the peaceful function of the ODOUR PLUS Recreation Centre which is situated at No.1250, Ram Nagar South, Madipakkam, Chennai - 91 without the approval of respondents 2 to 5.

3.The learned Government Advocate, on instruction from the respondent, submitted that on 30.06.2014, one Hendri Joseph lodged a complaint before the Pallikaranai Police Station stating that immoral trafficking is going on at No.1250, S3, 2nd Floor, 6th Main Road, Ram Nagar South, Pallikaranai, Chennai-100 and in this connection a case has been registered by the police in Cr.No.957 of 2014 for offences under Sections 3(2)(a), 4(1), 5(1)(d) ITP Act against Retta, Subim, Thangaraj and Ganesh and this is the address in which the petitioner is running the Recreation Centre and a writ petition was filed before this Court in W.P.No.12109 of 2014 and the same is pending. Therefore, the respondent would state that if there is any specific information or reasonable doubt that the members are indulging in unlawful activities, they are entitled to take appropriate action as per law.

4. In the light of the fact that in the said premises certain unlawful activities are carried out and the case has been registered in Cr.No.957 of 2014, the relief sought for by the petitioner cannot be granted. Accordingly, the writ petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

gpa

To

1. The Inspector of Police
Madipakkam Police Station
Madipakkam
Chennai
2. The Assistant Commissioner of Police
Madipakkam Police Station
Madipakkam
Chennai
3. The Joint Commissioner of Police
St. Thomas Mount Police Station
St. Thomas Mount
Chennai
4. The Deputy Commissioner of Police
St. Thomas Mount Police Station
St. Thomas Mount
Chennai
5. The Commissioner of Police
Commissioner Office
Near Dhina Thanthi
Vepery
Chennai

1 cc to Mr.M. Malar, Advocate, Sr. 3680
1 cc to Government Pleader, Sr. 3702

W.P.No.29318 of 2014 &
M.P.No.1 of 2014

JP (CO)
kk 30/1

सत्यमेव जयते

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