

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.4.2015

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THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

WP.No.9757 of 2015

Relax Recreation Club
by its President
B.Balasubramani

.. Petitioner

Versus

1. The Superintendent of Police
Tirupur, Tirupur District.
 2. The Deputy Superintendent of Police
Dharapuram, Tiruppur District.
 3. The Inspector of Police
Moolanur Police Station
Moolanur, Tiruppur District.
- ...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus forbearing the third respondent from in any manner interfering with the affairs of the petitioner-club or its members right to avail the facilities provided for playing rummy, skill games not involving any element of gambling.

For Petitioner : Mr.S.Lakshmanasamy

For Respondents : Mr.S.Gunasekaran
Government Advocate

ORDER

Heard Mr.S.Lakshmanasamy, learned counsel appearing for the petitioner and Mr.S.Gunasekaran, learned Government Advocate appearing on behalf of the respondents.

2. The petitioner seeks for the issuance of a writ of mandamus forbearing the respondents from in any manner interfering with the affairs of the petitioner-club or its members right to avail the facilities provided for playing rummy, skill games not involving any element of gambling.

3. Learned counsel for the petitioner would submit that the petitioner-club is a recreation club and their activities are lawful. However, the respondent-police are periodically interfering with their lawful activities under the guise of inspecting the premises. Hence, the present writ petition.

4. The petitioner and the members of the petitioner Club are entitled to carry on lawful activities within their premises and so long as their activities are not in violation of the provisions of the Public Gambling Act, 1867/Tamil Nadu Gaming Act, 1930, they need not have any apprehension with the interference from the police authorities. However, if the police authorities have specific information or reasonable doubt that the activities carried on by the Club or its members are not in accordance with law or they indulge in unlawful activities, in violation of the provisions of the Public Gambling Act, 1867/Tamil Nadu Gaming Act, 1930 or any other enactment, it would be open to them, after recording reasons in the General Diary maintained in the Police Station, to proceed to enter the Club premises, conduct investigation, interrogate those who involve themselves in such activities and take appropriate action on merits and in accordance with law.

5. With the above direction, this writ petition is disposed of. No costs.

ga

-s/d-

Assistant Registrar()

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police
Tirupur, Tirupur District.
2. The Deputy Superintendent of Police
Dharapuram, Tiruppur District.
3. The Inspector of Police
Moolanur Police Station
Moolanur, Tiruppur District.

+ 1 cc to the Government Pleader, SR 18725

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