

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.19868 of 2012

ORDER:

This writ petition was filed by ten individual members of the 9th respondent – Club with the following prayer:

“For the reasons stated in the accompanying affidavit, it is prayed that the Honourable Court may be pleased to issue a writ or order or orders or direction particularly in the nature of writ of mandamus by declaring the interference of the respondents in GVR Family Club, Bowenpally, Secunderabad and its members in the activities of recreation including playing of 13 cards (rummy) without any complaint or any violation of any statutory provisions, is bad, arbitrary, abuse of power and contrary to the orders passed by the Honourable High Court of Andhra Pradesh, violative of Article 19 of the Constitution of India and consequently direct the respondents not to disturb the CC Cameras and Digital Video Recording system arranged by the said club and pass such other order or orders as may be deemed fit and proper in the circumstances of the case.”

It is however relevant to note that the 9th respondent – Club itself filed a separate writ petition on the same lines, being W.P.No.24533 of 2011, which was disposed of along with similar matters by common order 09.09.2011.

Perusal of the said order reflects that this Court directed the respondent – police authorities not to interfere with the card game of Rummy (a 13 Cards game), whatever be the stakes, being played in the Club. This Court further made it clear that the said order would not preclude the police authorities from entering the Club and taking action in terms of Section 5 of the Andhra Pradesh Gaming Act, 1974 and thereafter initiating penal proceedings for violation, if any, of the provisions of the said Act. The Club was directed not to cause any hindrance to the police authorities in exercising their statutory powers.

In the light of the aforestated order obtained by the 9th respondent – Club, it is incomprehensible as to why the petitioners,

who claim to be members thereof, are again asking for similar relief. The consequential relief sought by them with regard to the disturbance of Cameras and Video Recording Systems is, in the opinion of this Court, completely unconnected to the main relief which is with regard to the playing of Rummy (a 13 Cards game). Further, in the event there is any violation of the order passed in favour of the 9th respondent – Club, it is for the said Club to come forward and seek appropriate relief. It is not open to the individual members of the said Club to separately agitate grievances in that regard by way of parallel proceedings.

This writ petition is therefore utterly misconceived and is accordingly dismissed.

Pending Miscellaneous Petitions shall also stand dismissed.
No order as to costs.

SANJAY KUMAR, J

Date:01.07.2015

GJ