

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.7593 of 2015

ORDER:

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This writ petition is filed under Article 226 of the Constitution of India seeking following relief:-

“ to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd and 4th respondent in interfering with the day to day activities of the petitioner S.C. Memorial Officers Recreation (Reg.No.234/1991) Association, Proddatur, YSR Kadpaa District and pressuring to close the club without there being any violation of A.P.Gaming Act, 1974 by its members and without there being any registered complaints against the petitioner club is illegal, arbitrary, discriminatory and violation of Article 14 and 16 of the Constitution of India in addition to violation of Principles of Natural Justice and consequently direct the respondents to permit the petitioner of S.C. Memorial Officers Recreation (Reg.No.243/1991) Association, Proddatur, YSR Kadapa District to have access into the club and play only 13 cards rummy game and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

When the matter is called today, learned Government Pleader for Home has produced written instructions, dated 13-04-2015 furnished by the Assistant Sub-Inspector of Police, Proddatur Taluka Police Station, Kadapa District. In the said written instructions, it is stated that there is no complaint against the petitioner's club with regard to illegal activities and police did not interfere with the petitioner's activities nor pressurized the petitioner to close the club.

Learned counsel appearing for the petitioner submits that in identical circumstances, this court disposed of W.P.Nos.24533 of 2011 and batch, dated 09-09-2011. A copy of the said order is placed on record along with the writ petition.

Following the above referred order of this court and taking into consideration the written instructions furnished by the Assistant Sub-Inspector of Police, Proddatur Taluka Police Station, Kadapa District, this writ petition is disposed of directing the respondents not to interfere with any card game of Rummy (a 13 Cards game),

whatever be the stakes, being played in the club. It is made clear that this order shall not preclude the respondents from entering the club and from taking action in terms of Section 5 of the A.P.Gaming Act, 1974 (for short "the Act") and, thereafter to initiate penal proceedings under Sections 3 and 4 for violations of the provisions of the Act. The petitioner club shall cause no hindrance to the respondents in exercising their statutory powers under Section 5 or any other provisions of the Act. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

A.V.SESHA SAI, J

Date: 21.04.2015

Note:

Issue C.C. in three days

(B/o)

Prv

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