

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2016

CORAM:

THE HON 'BLE MR. JUSTICE T.S.SIVAGNANAM

Writ Petition No.33074 of 2016

& W.M.P.No.28559 of 2016

M/s.True Future India Network Pvt Ltd.,
Rep by Director, M.Rajesh,
No.273/22 Swarnapuri Complex,
2nd Floor, Omalur Main Road,
Swarnapuri, Salem & District Petitioner

Versus

1. The Government of India
Rep. by its Secretary to Government,
Ministry of Finance, New Delhi
- 2 The Government of Tamilnadu
Rep. by its Secretary to Government,
Home Department, Fort St. George, Chennai
3. The Director General of Police,
Kamaraj Salai, Mylapore, Chennai
4. The Commissioner of Police
Salem City, Salem District ... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India, seeking for the issuance of a Writ of Declaration, declaring that the activity of the petitioner company in selling its product through its distributors by using the network marketing system is legal and not in contravention of the provisions of the Prize chits and money circulation schemes Banning Act 1979 or any other law and consequently forbearing the respondents or their subordinates or agents or their Men from in any manner interfering with the lawful business activities of the petitioner company by either freezing of Bank accounts or interfering in the conduct of seminars and promotional meetings held for the distributors.

For Petitioner : Mr. I.C.Vasudevan

For Respondents : Mr. A.N.Thambi Durai, Spl.G.P.,

O R D E R

Heard Mr.I.C.Vasudevan, learned counsel for the
petitioner and Mr.A.N.Thambi Durai, learned Special Government
<https://hcservices.courts.gov.in/hcservices/>

Pleader for the respondents. By consent of the learned counsel for both sides, the writ petition is taken up for final disposal.

2. The petitioner claiming itself to be a Private Limited Company, engaged in the business of promoting various consumer articles through retail network, seeks for a blanket relief to declare that the nature of activity done by it is not in contravention of the provisions of the Prize Chits and Money Circulation Schemes Banning Act, 1979. In the affidavit filed in support of this writ petition, it is not clear as to what is the cause of action for the petitioner to approach this Court for such a blanket relief. During the course of arguments, the learned counsel for the petitioner submitted that there is some interference by the Police on the petitioner's activities.

3. In the considered view of this Court, the relief sought for by the petitioner is thoroughly premature and such a blanket declaration cannot be granted. Accordingly, the prayer sought for by the petitioner is rejected and the writ petition is dismissed. No costs. Consequently, the connected WMP is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

srk

To

- 1.The Secretary to Government, Government of Tamilnadu
Home Department, Fort St. George, Chennai
2. The Director General of Police,
Kamaraj Salai, Mylapore, Chennai
3. The Commissioner of Police, Salem City, Salem District

1 cc to Government Pleader, sr.54200

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kra 05.10.2016