

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39261 OF 2016

ORDER:

The writ petition is filed by the petitioners seeking a writ of mandamus declaring the action of the respondents in seeking to categorize, classify and thereby take resultant action including for disrupting the business carried out by the petitioners through their online portal by terming such activity/action as an act prohibited under A.P.Gaming Act, 1974, as illegal and unconstitutional, and also declaring the action of the third respondent in seeking to cause disrepute and disrupt the legitimate business activities of the petitioners being carried out as illegal and unconstitutional, and consequently, to direct the respondents not to interfere in the conduct of business by the petitioners in respect of online Rummy activities/competition.

Heard and perused the material.

Learned counsel for the petitioners submits that the fourth respondent registered crime No.233 of 2016 for the offences under Section 65 of the Information Technology Act, Sections 3 and 4 of the Andhra Pradesh Gaming Act and Section 420 IPC. He further submits that on the basis of the registration of the case, the respondents are interfering in the conduct of the business of the petitioners in respect of online Rummy activities without giving any notice to the petitioners and that they are compelling the petitioners to close their business. He further submits that the petitioners are ready to cooperate with the investigating agency for the purpose of investigation. He prays this Court to direct the respondents not to interfere with the business of the petitioners on the basis of the registration of First Information Report.

Considering the facts and circumstances of the case, the respondents are directed not to interfere in the conduct of the business of

the petitioners, in any manner, in relation to the online rummy activities/competition without giving any notice to the petitioners. The respondents are further directed to follow due process of law. The petitioners are directed to cooperate with the investigation agency in the process of investigation.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

15.11.2016
pln

