

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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CONTEMPT CASE No.304 of 2013

ORDER:

The order, violation of which is alleged in the present Contempt Case, is the order passed by this Court in W.P.No.26505 of 2011 dated 12.10.2011 whereby the respondents were restrained from interfering with the petitioner-club permitting 13 card game of rummy being played in their premises. Alleging that false cases were foisted against their members only to harass the petitioner, taking advantage of the liberty granted by this Court to enter the club and to take action in terms of Section 5 of the Andhra Pradesh Gaming Act, 1974, and that a false complaint, in Cr.No.115/2012 dated 18.07.2012, was registered against them, the present Contempt Case is filed.

A perusal of the contents of the First Information Report would show that the persons mentioned therein are alleged to have been playing a card game other than rummy. The truth or otherwise of the contents of the First Information Report are not matters of examination in this Contempt proceedings, as the jurisdiction, which this Court exercises under the Contempt of Courts Act, 1971, is limited to an examination of whether or not the order of this Court has been violated, and whether such violation is wilful and deliberate. As the First Information Report makes no mention of the members of the petitioner's club being proceeded against for playing 13 card game of rummy, registration of the complaint cannot be said to be in violation of the order of this Court much less wilfully and deliberately. I see no reason, therefore, to proceed against the respondents under the Contempt of Courts Act. It is made clear that this Court has not expressed any opinion on the validity or otherwise of the complaint registered against the petitioner-club as any such examination is beyond the contempt jurisdiction of this Court.

The Contempt Case is, accordingly, closed. Miscellaneous petitions pending, if any, shall also stand closed. There shall be no order as to costs.

RAMESH RANGANATHAN, J

11th March, 2016.

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