

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2017

CORAM

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

W.P.No.2576 of 2017 &
W.M.P.No.2535 of 2017

M/s.7 Star Sports and Recreation Centre
Rep by its Secretary, M.Rajesh
No.226, GST Road
Chengalpattu
Kancheepuram District

... Petitioner

v.

- 1 The Superintendent of Police
Kancheepuram
Kancheepuram District
- 2 The Deputy Superintendent of Police
Chengalpattu (Sub Division)
Kancheepuram District
- 3 The Inspector of Police
Town Police Station
Chengalpattu

... Respondents

Writ Petition filed under Article 226 of The Constitution of India
praying to issue a writ of mandamus, forbearing the respondents
from interfering with the smooth function and operation of the
petitioner club, namely, "M/s.7 Star Sports and Recreation Centre"

situated at No.226, GST Road, Chengalpet, Kancheepuram.

For Petitioner : Mr.P.G.Santhosh Kumar

For Respondents : Mr.A.N.Thambidurai
Spl. Govt. Pleader

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of mandamus, forbearing the respondents from interfering with the smooth functioning and operation of the petitioner's club, viz., "M/s.7 Star Sports and Recreation Centre" situated at No.226, GST Road, Chengalpet, Kancheepuram.

2.1 It is the case of the petitioner that he is running the Recreation Centre under the name and style of "M/s.7 Star Sports & Recreation Centre" and the same was registered on 14.11.2016 before the District Registrar Office, Chengalpet under section 10 of the Tamil Nadu Act, 1975 (Tamil Nadu Act 27/1975). From the date of registration, the said club is conducting social activities, which is not against the interest of either to the members or to the general public.

2.2 According to the petitioner, the 3rd respondent-Inspector of Police is frequently visiting the club premise and harassing the staff of the petitioner's club. Hence, the petitioner gave a representation to the respondent on 10.01.2017 and requested the 1st respondent to direct the respondents 2 and 3 not to prevent the club activities and its functioning. According to the petitioner, the club is being run in a legal manner without any illegal activities. In these circumstances, the petitioner has filed the present Writ Petition.

3. When the matter came up for hearing on 03.04.2017, the learned Special Government Pleader took notice for the respondents and sought a week's time for getting instructions. Thereafter, on 11.04.2017, time was granted by two weeks for filing counter. Again on 25.04.2017, time was extended till 27.04.2017 for filing counter. Till today, i.e. 27.04.2017, the respondents have not filed their counter.

4. Mr.A.N.Thambidurai, learned Special Government Pleader submitted that in the event of any illegal activities being conducted in the petitioner's club, the respondents may be given liberty to take legal action against the petitioner.

5. In view of the submissions made by the learned counsel on either side, the respondents are restrained from interfering with the smooth functioning and operation of the petitioner's club, if the activities in the club are conducted in a legal manner. In the case of any complaint received against the petitioner's club or any illegal activities are being conducted in the club, the respondents are at liberty to take appropriate legal action.

With these observations, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes/No

27.04.2017

Note : Issue copy of the order by 28.04.2017

Rj

To

- 1 The Superintendent of Police
Kancheepuram
Kancheepuram District
- 2 The Deputy Superintendent of Police
Chengalpattu (Sub Division)
Kancheepuram District
- 3 The Inspector of Police
Town Police Station
Chengalpattu

M.DURAI SWAMY, J.

Rj

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