

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.09.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No. 2455 of 2013

M.P.No.1 of 2013

The Surutha Lakshmi Vilas Saba,  
(Regd)  
No.145, Broadway Road,  
Chennai - 108,  
Rep.by its Joint Secretary,  
G.V.Ramesh,  
S/o.G.Venkataraju,  
No.18, Appaswamy Street,  
Seven Wells,  
Chennai- 600 001.

..Petitioner

vs

1. The Commissioner of Police,  
Office of the Commissioner of Police,  
Egmore, Chennai 600 008.
2. The Joint Commissioner of Police (South),  
Office of the Commissioner of Police,  
Egmore, Chennai - 600 008.
3. The Deputy Commissioner of Police,  
(Law and Order)  
Flower Bazaar Police Station,  
Chennai - 600 001.
4. The Assistant Commissioner of Police,  
(Law and Order)  
Flower Bazaar Police Station,  
Chennai - 600 001.
5. The Inspector of Police (Law and Order),  
B-2, Esplanade Police Station,  
Chennai - 600 104.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ in the nature of Writ of Mandamus forbearing the respondents, their men, agents and officials acting on their behalf from interfering with the legal activities of the petitioner Sabha and its members under the guise of inspection frequently without any notice.

For Petitioner : Mr.G.Mohana Krishnan

For Respondents : Mr.R.S.Selvam  
Government Advocate

O R D E R

The relief sought for in this writ petition is to forbear the respondents their men, agents and officials acting on their behalf from interfering with the legal activities of the petitioner Sabha and its members under the guise of inspection frequently without any notice.

2. This Court is of an opinion that such a prayer sought for in general cannot be granted in the event of any specific interest or grievance. The writ petitioner is at liberty to move the writ petition for redressal, but the powers of the police officials under the Criminal Procedure Code cannot be stopped by this Court by issuing orders. All the public officials are bound to perform their duties and responsibilities in accordance with the procedures contemplated under the Statutes. Thus, in the event of any information, in respect of any illegal activities in a particular place or in a building, the officials are empowered to conduct inspection in the manner known to law and by following the procedures contemplated.

3. The learned Government Advocate appearing on behalf of the respondents informed this Court that already a criminal case was registered against the writ petitioner in B-2, Esplanade Police Station in Crime No.209 of 2013.

4. This being the factum of the case, this Court is of an opinion that the relief as such sought for in the present writ petition cannot be granted. However, the writ petitioner is entitled to conduct the sabha in a legal manner and if any informations are received by the authorities competent, then, they are empowered to conduct inspection in accordance with law.

5. This being the legal principles to be followed, the relief as such sought for in this writ petition cannot be granted and accordingly, the same stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

pns/sk

To

1. The Commissioner of Police,  
Office of the Commissioner of Police,  
Egmore, Chennai 600 008.
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Office of the Commissioner of Police,  
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5. The Inspector of Police (Law and Order),  
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Chennai - 600 104.

+ 1 cc to Government Pleader Sr.67403

W.P.No. 2455 of 2013

(CS-IX)  
EU(25/10/2018)