

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.12.2019

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.33812 of 2019

N.14, Mangalam Nethaji Manamagizh
Ilaignar Narpanii Mandram
represented by its President
K.Vasudevan
S/o.Kannayiram
Pilliaagaaram post
Salavakkam Via
Maduranthagam Taluk
Kancheepuram District 603 1072023421519
(Regn. No.96 of2018)

... Petitioner

..Vs..

- 1.The Superintendent of Police,
Kancheepuram
Kancheepuarm District
- 2.The Superintendent of Police,
Chengalpattu
Chengalpattu District
- 3.The Deputy Superintendent of Police
Maduranthagam
Kancheepuram District.
- 4.The Inspector of Polcie
Padalam Police Station,
Kancheepuram Disitric
- 5.The Sub-Inspector of Police
Salavakkam Police Station,
Kancheepuram District

.... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents from interfering with the lawful activity or playing ''Rummy'' (13 Cards) by the members of the petitioner Association.

For Petitioner : Mr.G.Punniakoti
For Respondents : Mrs.P.Rajalakshmi
Addl. Govt. Pleader

O R D E R

The Writ Petition has been filed in the nature of mandamus to forbear the respondents from interfering with the lawful activity or playing ''Rummy'' (13 cards) by the members of the petitioner Association.

2.Heard, G.Punniakoti learned counsel appearing for the petitioner and Mrs.P.Rajalakshmi learned Government Pleader appearing for the respondents.

3. This Court in a similar order dated 05.03.2012 in W.P.No.2972 of 2012 gave certain directions, i.e., directions (a) to (j). When the matter was taken in appeal in W.A.No.296 of 2013, a Division Bench of this Court vide the judgment dated 06.10.2017 set aside the directions (a) and (e). Since the issue is covered by the above referred judgments, this Writ Petition could also be disposed of in terms of the order made in W.P.No.2972 of 2012 dated 05.03.2012, as modified in W.A.No.296 of 2013 dated 06.10.2017.

4.Accordingly, this Writ Petition is disposed of with the following directions:

(a) The petitioner Club is permitted to allow the visitors to play indoor/outdoor games and there should not be any gambling activities.

(b) The respondents shall not interfere with the affairs of the Club, if the conduct of the games is in tune with the directions of this Court and per the provisions of the public Gambling, 1867.

(c) The petitioner shall install CCTV Cameras inside the Club area, where gaming facilities are provided and record everyday's activities. Whenever the respondents receive complaints or inputs of gambling, instead of visiting the Club directly, the respondents may direct the Club to produce the CCTV footage, based on which, the respondents may take action in accordance with law.

(d) It is the responsibility of the petitioner Club to provide CCTV footage intact, after retaining a copy for their reference. Installation of such CCTVs may be done as per

instructions from the respondents, in accordance with law with the guidelines.

(e) It is open to the respondents to take action against the petitioner Club, in accordance with law, if there is specific input or reasonable doubt, by entering into the Club.

(f) The respondents, while exercising the powers, should follow the mandatory provisions as enumerated in Section 5 of the Tamil Nadu Gaming Act, 1930/Public Gaming Act, 1867. However, there shall be no order as to costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsn

To,

- 1.The Superintendent of Police,
Kancheepuram
Kancheepuarm District
- 2.The Superintendent of Police,
Chengalpattu
Chengalpattu District
- 3.The Deputy Superintendent of Police
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+1cc to Mr.G.Punniakoti, Advocate, S.R.No. 104448

W.P.No.33812 of 2019

PA(CO)
GN(11/02/2020)