

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2019

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.Nos.34704 and 34707 of 2019
and WMP.Nos.35458 and 35464 of 2019

Mr.R.Vignesh ... Petitioner in W.P.No.34704 of 2019
Mr.C.Sambath ... Petitioner in W.P.No.34707 of 2019

Vs.

1. The Commissioner of Police,
The Greater Chennai Police,
Vepery, Chennai - 600 008.
2. The Inspector of Police,
V-3, J.J.Nagar Police Station,
Mogappair East,
Chennai - 600 037. ... Respondents in W.P.No.34704 of 2019

1. The Commissioner of Police,
Coimbatore City, Upplipalayam,
Coimbatore - 641 018.
2. The Inspector of Police,
E-3 Police Station,
Saravanampatti,
Coimbatore - 641 035.
... Respondents in W.P.No.34707 of 2019

Prayer in W.P.No.34704 of 2019: Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, forbearing the respondents or their men, agents from interfering with the peaceful conduct of business i.e. Cross massage in the name and style of 'M/s.BEAUTIFUL SALOON AND SPA' was situated at 'Plot No.1542, Door No.S-3, Ground Floor, Flat No.G-1, Ram Nagar Street, Anna Nagar Western Extension, Chennai - 600 101.

Prayer in W.P.No.34707 of 2019: Writ Petitions filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, forbearing the respondents or their men, agents from interfering with the peaceful conduct of business i.e. Cross massage in the name and style of 'M/s.ROSE LUXURY SALOON AND SPA' was situated at No.461, Sathy Road, Opp. IOB, Ganapathy, Coimbatore - 641 006.

For Petitioner : Mr.R.Kameshkumar
in W.Ps.

For Respondents: Mr.R.Govindasamy
in both W.Ps. Special Government Pleader

COMMON ORDER

The petitioners have to apply license from the Collector, Chennai and the Collector, Coimbatore to run their respective Parlours, disclosing the nature of its activities. After obtaining the license, the petitioner can continue to do their business with a following directions :-

(a) The petitioners' Centres are 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 Centres, if the conduct of the games is in tune with the directions of this Court and as per the provisions of the Public Gambling Act, 1867.

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

(d) It is the responsibility of the petitioners' Centre 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 the guidelines.

(e) It is open to the respondents to take action against the petitioners' Centre, 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.

2. The learned Special Government Pleader appearing for the respondents stated on instructions that the Police will not unnecessarily interfere with the functioning of the petitioners' business.

3. Accordingly, the writ petitions are disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vum

To

1. The Commissioner of Police,
The Greater Chennai Police,
Vepery, Chennai - 600 008.
2. The Inspector of Police,
V-3, J.J.Nagar Police Station,
Mogappair East,
Chennai - 600 037.
3. The Commissioner of Police,
Coimbatore City, Upplipalayam,
Coimbatore - 641 018.
4. The Inspector of Police,
E-3 Police Station,
Saravanampatti,
Coimbatore - 641 035.
5. The Public Prosecutor,
Madras High Court,
Chennai.

+2cc to Mr.Annamma, Advocate SR.104737,104736
+1cc to the Government Pleader SR.105794

W.P.Nos.34704 and 34707 of 2019
and WMP.Nos.35458 and 35464 of 2019

VGII(CO)
CB(30/01/2020)

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