



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.03.2019

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THE HONOURABLE MR. JUSTICE N. SESHASAYEE

W.P. (MD) No. 5897 of 2019

WEB COPY

Thenmalar Recreation Club
Rep by its Secretary K. Gurusamy,
No.2/143B, Mahatma Gandhi Nagar,
Perungudi,
Madurai District.

... Petitioner

Vs.

1. The Commissioner of Police,
Office of the Commissioner of Police,
Madurai, Madurai District.

2. The Inspector of Police,
Avaniapuram Police Station,
Madurai District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to forebear the respondents and their subordinates herein from interfering with the day to day affairs of the petitioner Club in any way without any reasonable cause and playing the game of rummy along with carom board, chess and table tennis premises at No.452, Anbazhagan Nagar, Airport, Perungudi, Madurai District.

For Petitioner : Mr. V. Vadivel
For Respondents : Mrs. S. Bharathi
Government Advocate

ORDER

The present petition is filed seeking protection from the respondents and their subordinates herein from interfering with the day to day affairs of the petitioner Club.

2. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

3. The learned counsel for the petitioner submitted that the second respondent is disturbing the functioning of a certain of recreation club, he is the Secretary. Caught is an identical situation as is now prevailing, the club was forced to file W.P. No. 6175 of 2014 and the same came to be disposed of on 17.03.2015 with set of directions. The petitioner further submits that the petitioner is willing to abide by the directions given in the above said case.



4. The learned Government Advocate, on instructions, submitted that a case in crime No.212 of 2019 was registered on 21.02.2019.

5. In view of the above submission, inasmuch as a case in Crime No.212 of 2019 has been registered, if at all the second respondent is interested in interrogating / enquiring the petitioner, the same shall be done on issuing summons to the petitioner under Section 41 (A) Cr.P.C., The petitioner is also directed to co-operate with the enquiry and follow the directions / guidelines given in W.P.No.6175 of 2014. During enquiry, there shall not be harassment to the petitioner.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (W)

/ True Copy /

Sub Assistant Registrar (CS)

To

1.The Commissioner of Police,
Office of the Commissioner of Police,
Madurai, Madurai District.

2.The Inspector of Police,
Avaniapuram Police Station,
Madurai District.

+1 CC to M/s.V.VADIVEL, Advocate (SR-53709[F] dated 13/03/2019)

Order made in
W.P. (MD) No.5897 of 2019
13.03.2019

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ES/KK/15.04.2019/2P/4C