



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2019

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).No. 20390 of 2019

and

WMP (MD) Nos.17009 and 17010 of 2019

K.Mariados

.. Petitioner

Vs.

1. The District Collector
Kanyakumari District
at Nagercoil

2. The Revenue Divisional Officer cum Sub Collector
Padmanabhapuram
Thuckalay
Kanyakumari District

3. The Superintendent of Police
Kanyakumari District
at Nagercoil

4. The Inspector of Police
Thuckalay Police Station
Kanyakumari District

5. The Sub Inspector of Police
Kotrikode Police Station
Kanyakumari District

6. Fr.Robert Johnkennady

7. L.Krakeri

8. V.Rajeshmon

9. Stalinsekar

10.Subhajustin

11. Christopher

12.Christuraj

.. Respondents

Prayer : This petition is filed under Article 226 of Constitution of India, To issue a Writ of Mandamus directing the respondents 1 to 5 to take action against the respondents 6 to 12 for collecting the money in contravention of the provisions of the Tamilnadu Prize Scheme (Prohibition) Act, 1979 and Tamilnadu State Lotteries



(Regulations) Rules 2002 and excommunicating the petitioner and his family members in Chemparuthivilai, Kothanallur village, Kalukulam Taluk, Kanyakumari District

For Petitioner	: Mr.R.J.Karthick
For Respondents No.1 to 5	: Mr.R.Anandharaj Additional Public Prosecutor
No.6 to 12	: Mr.G.Prabhakaran

ORDER

This Writ Petition has been filed to direct the respondents 1 to 5 to take action against the respondents 6 to 12 for collecting the money in contravention of the provisions of the Tamilnadu Prize Scheme (Prohibition) Act, 1979 and Tamilnadu State Lotteries (Regulations) Rules 2002 and excommunicating the petitioner and his family members in Chemparuthivilai, Kothanallur village, Kalkulam Taluk, Kanyakumari District. Further he sought for injunction restraining the respondents 6 to 12 from conducting any function from 22.09.2019 to 29.12.2019 or any other date in the name of prize distribution scheme.

2. Pending writ petition this Court directed the Revenue Divisional Officer, Padmanabhapuram, Kanyakumari District to conduct enquiry under Section 107 of Cr.P.C between the petitioner as well as respondents 6 to 12 herein. The second respondent conducted enquiry and asked the petitioner as well as the respondents 6 to 12 herein to execute bond. Accordingly both the parties now executed bond as per the direction of the second respondent. Further the fourth respondent is directed to enquire about other allegations made by the petitioner in respect of conducting any schemes under Tamil Nadu Prize Scheme (Prohibition) Act, 1979 and Tamil Nadu State Lotteries (Regulation) Rules 2002. Accordingly the fourth respondent started enquiry.

03. Considering the above facts and circumstances of the case the fourth respondent is directed to conduct enquiry as directed by the second respondent by an order dated 19.11.2019 vide reference No. Na.Ka.A/MC 24/2019 under Tamil Nadu Prize Chits and Money Circulation Scheme (Banning) Act, 1979 and file a report before the second respondent. The second respondent on receipt of the same is directed to take appropriate action. The third respondent is directed to monitor the enquiry conducted by the fourth respondent. It is made clear that the fourth respondent is directed to issue notice to the petitioner as well as the respondents 6 to 12 and to give them opportunity to furnish all the documentary evidence during enquiry.



04. With the above direction, the petition is disposed of. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

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To

1. The District Collector
Kanyakumari District at Nagercoil
 2. The Revenue Divisional Officer cum Sub Collector
Padmanabhapuram
Thuckalay, Kanyakumari District
 3. The Superintendent of Police
Kanyakumari District at Nagercoil
 4. The Inspector of Police
Thuckalay Police Station
Kanyakumari District
 5. The Sub Inspector of Police
Kotrikode Police Station
Kanyakumari District
- +1 CC to M/s.R.J. KARTHICK, Advocate (SR-100977[F] dated 25/11/2019
- +1 CC to M/s.G. PRABHAKARAN, Advocate (SR-100835[F] dated 25/11/2019

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