

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2020

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.17510 of 2011

Seshadri Recreation Club
Rep. by its President,
Mahendran

Petitioner

Vs

The Commissioner of Police,
Commissionerate of Suburban Chennai,
st. Thomas Mount,
Chennai.

Respondent

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records from the file of the respondent made in Rc. No.RII/CSP/677/545333/2010 dated 26.04.2011 and quash the same and further direct the respondent to grant licence to the petitioner under Section 34 of the Chennai City Police Act with usual condition on the basis of the application dated 04.09.2010.

For Petitioner : M/s.Su. Srinivasan

For Respondent : Ms.K.Bhuvaneswari
Additional Govt. Pleader

ORDER

This writ petition has been filed challenging the order dated 26.04.2011 passed by the respondent and for a consequential direction to the respondent to grant licence to the petitioner under Section 34 of the Chennai City Police Act with usual conditions on the basis of the petitioner's application dated 04.09.2010.

2. Heard Mr.Su.Srinivasan, learned counsel for the petitioner and Ms.K.Bhuvaneswari, learned Additional Government Pleader for the respondent.

3. Subsequent to the passing of the impugned order, dated 26.04.2011 issued by the respondent, the order dated 07.02.2011 passed by this Court in W.P. No.25625 of 2010 has been reviewed by this Court in Review Application No.45 of 2011 and by order dated 27.04.2011, the review application came to be allowed in favour of the petitioner.

4. Instead of filing a fresh application for license, the petitioner has challenged the impugned order dated 26.04.2011, which was issued prior to the order dated 27.04.2011 of the Single Judge of this Court, wherein, the Review Application filed by the petitioner came to be allowed.

5. In view of the above, the impugned order dated 26.04.2011 passed by the respondent is hereby quashed, as it was passed based on the order dated 07.02.2011 passed by this Court in W.P. No.25625 of 2010, which was subsequently reviewed by this Court and orders were passed on 27.04.2011, allowing the Review Application filed by the petitioner.

6. For the foregoing reasons, the petitioner is permitted to submit a fresh application for licence with the respondent to run a club. On receipt of such application, the respondent shall consider the same and pass orders on merits and in accordance with law within a period of twelve weeks thereafter.

7. With the aforesaid directions, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsi2

To
The Commissioner of Police,
Commissionerate of Suburban Chennai,
st. Thomas Mount,
Chennai.

+1cc to M/s.Su. Srinivasan, Advocate SR.9212
+1cc to the Government Pleader SR.10026

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NR(CO)
CB(16/03/2020)