



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.27388 OF 2013

S.N.Jeganathan,
Secretary,
Sulur Friends Recreation Club,
3/232-D, Kuttai Thottam,
Muthugoundan Pudhur
Sulur Taluk,
Coimbatore.

... Petitioner

.Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Coimbatore,
Coimbatore District.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Perur, Coimbatore District.
3. The Inspector of Police,
Sulur Police Station,
Coimbatore District.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents from in any manner interfering with the affairs of the petitioner's club Sulur Friends Recreation Club registered as Sl.No.243/2013 situated at No.10/109 Ranganathapuram, Kannampalayam, Sulur Taluk, Coimbatore District or its members including the facilities provided for playing various games including the game of playing rummy not involving any element of gambling.

For Petitioner : Mr.C.S.Saravanan

For R1 to R3 : Mr.C.Kathiravan
Government Advocate



O R D E R

(Through Video Conferencing)

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The relief sought for in the present writ petition is to forbear the respondents from in any manner interfering with the affairs of the petitioner's Club, Sulur Friends Recreation Club, registered as Sl.No.243/2013 situated at No.10/109 Ranganathapuram, Kannampalayam, Sulur Taluk, Coimbatore District, or its Members, including the facilities provided for playing various games, including the game of playing rummy not involving any element of gambling.

2. The grievance of the writ petitioner is that, people from all walks of life, including business men, landlords, employees and other residing in and around Kannampalayam, Sulur Taluk and surroundings are the Members of the Sulur Friends Recreation Club. The respondents 2 and 3 summoned the Executive Members of the Club and warned not to allow the Members of the Club to play rummy. The office bearers of the Club explained that the Club is established only for the welfare of the public and they are not conducting any games prohibited. Under those circumstances, the petitioner is constrained to move the present writ petition.

3. The relief in the nature of injunction cannot be granted in a writ proceedings in such circumstances. The Police authorities are competent to conduct inspection, if any complaint or information is received regarding any illegal activities in any Club. Thus, a general relief in the nature of injunction cannot be granted in a writ proceedings in a routine manner.

4. Further, the learned Government Advocate, appearing on behalf of the respondents, made a submission that the Club is not located in the said address. However, it is stated that, at present, the Club is located at No.10/109, Ranganathapuram, Kannampalayam, Sulur Taluk, Coimbatore District.

5. This Court has elaborately considered such issues in W.P.No.42735 of 2016 [Pandian Recreation Club, Chennai v. Commissioner of Police and others, dated 24.09.2021]. There are many such Clubs across the State of Tamil Nadu which engage themselves in some illegal activities. Therefore, the Police authorities are bound to conduct inspection and enquiry on the information, and initiate all appropriate actions in accordance with law. The District Registrar of Registration Department is also bound to initiate appropriate action in such circumstances. In the said writ petition in W.P.No.42735 of 2016, this Court directed the Inspector General of Registration to direct the



jurisdictional authorities to conduct inspection under the provisions of the Tamil Nadu Societies Registration Act, 1975, and further, the jurisdictional Police authorities are also directed to inform the registration of criminal cases to the jurisdictional District Registrars of the Society, initiate all appropriate actions. In this regard, the Director General of Police has also issued a Circular to the subordinate Police authorities.

6. This being the factum, the respondents are bound to conduct inspections in the manner known to law. If any illegality is identified, immediate actions are to be initiated by following the provisions as contemplated. Accordingly, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Coimbatore,
Coimbatore District.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Perur, Coimbatore District.
3. The Inspector of Police,
Sulur Police Station,
Coimbatore District.

+1cc to the Government Pleader, S.R.No.55411

W.P.NO.27388 OF 2013

PL(CO)
PBS/11/11/2021