



Cont.P.No.3000 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2021

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

Contempt Petition No.3000 of 2014

M/s.Krishnagiri Manavala Kalai Sangam,
represented by its President Mr.Nagaraj
No.96, Gandhi Road,
Krishnagiri Town,
Krishnagiri District

... Petitioner

Vs

1.Mrs.Kannamma,
The Superintendent of Police,
Krishnagiri District.

2.Mr.Rajendran,
The Deputy Superintendent of Police,
Krishnagiri District.

3.Mr.Thangavel,
The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri District.

... Respondents

Petition filed under Section 11 of the Act, praying to punish the respondent for the wilful disobedience of the order dated 08.05.2014 passed in W.P.No.13517/2014 on the file of this Court.

For petitioner

...

Mr.C.Mahendran
No appearance



WEB COPY

Cont.P.No.3000 of 2014

For Respondents

...

Mr.P.Chinnadurai

Additional Government Pleader

ORDER

There is no representation on the side of the petitioner.

2. This Court, by its order dated 08.05.2014 in W.P.No.13517 of 2014, issued the following directions.

4. The submission made on either side are recorded. Accordingly, this writ petition is disposed of with the following conditions.

i. The petitioner and the members of the petitioner Club are entitled to carry on lawful activities within their premises and there should not be any interference from the police authorities, so long as their activities are not in violation of the provisions of the Public Gambling Act, 1867/ Tamil Nadu Gaming Act, 1930;

ii. In the normal circumstances, there should be no interference in the lawful functioning of the Club, by the Police. It is not permissible for the police to enter the Club premises as a routine measure, so long as the Club is functioning within the frame work of law;

iii. If the police authorities have specific information or reasonable doubt that the activities carried on by the Club or its members are not in

accordance with law or they indulge in unlawful activities, in violation of the provisions of the Public Gambling Act, 1867/ Tamil Nadu Gaming Act, 1930 or any other enactment, it would be open to them, after recording reasons in the General Diary maintained in the Police Station, to proceed to enter the Club premises, conduct investigation, interrogate those who involve themselves in such activities and take appropriate action on merits and as per law;

iv) While exercising the powers conferred on the Police authorities they should follow the mandatory provision as contained in Section 5 of the Tamil Nadu Gaming Act, 1930/ Public Gambling Act, 1867;

v) It is always open to the Club or its members to challenge the action taken by the Police, if it is not in accordance with law;

vi) In case the police authorities are of the opinion that a situation has arisen to suspend the operation of the Club in exercise of the powers conferred, they have to issue an order in writing. When there is no authority to the Police to issue an order of suspension orally, they are not entitled to pass such oral orders; and

vii) Before passing orders for the purpose of closure of the Club, in exercise of the Powers conferred on the authorities, they should follow the principles of natural justice. The Club should be given



an opportunity to submit their objections and if so desired, a further opportunity of personal hearing should also be given.

3. Mr.P.Chinnadurai, learned Additional Government Pleader has placed before this Court the instructions received by him from the respondents stating that the respondents are not disturbing the running of the petitioner-Sangam.

4. Recording the same, the Contempt Petition is closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

srn

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

GS/22/04/2021

To

1. The Superintendent of Police,
Krishnagiri District.
2. The Deputy Superintendent of Police,
Krishnagiri District.
3. The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri District.