



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.23561 of 2021

&

WMP.No.24781 of 2021

Blue Ray Sports and Social Association
Rep. by its Secretary,
Door No.7-15-114/1, Rajeev Gandhi Beach Road,
Ferry Road, Yanam,
Puducherry-533 463

...Petitioner

Versus

1. Government of Puducherry
Rep. by Secretary,
Home Ministry of Puducherry
Puducherry.
2. Senior Superintendent of Police,
Yanam District, Puducherry.
3. Superintendent of Police,
Yanam District,
Puducherry.
4. The Inspector of Police,
Yanam Police Station,
Puducherry.

...Respondents

PRAYER: This Writ Petition has been filed under Article 226 of the constitution, to issue Writ of Mandamus, forbearing the respondents from interfering in any manner in the activities of the petitioner association at Door No.7-15-114/1, Rajeev Gandhi Beach Road, Ferry Road, Yanam, Puducherry-533 463 and also from harassing the members, guests or the members of the association in any manner.

For Petitioner : Mr.J.Sudhakaran.

For Respondents: Mr.V.Balamurugane
Public Prosecutor (Puducherry).



ORDER

The petitioner is the Secretary, Blue Ray Sports and Social Association has filed this Writ Petition seeking to forbear the respondents from interfering in any manner in the activities of the petitioner's association bearing Door No.7-15-114/1, Rajeev Gandhi Beach Road, Ferry Road, Yanam, Puducherry-533 463 and also refrain from harassing the guests or members of the association.

2.The contention of the petitioner is that the petitioner's association was established with registration No.250 of 2021 under the provisions of Society Registration Act. The petitioner intends to provide its member to participate in sports, gathering, play skill games, yoga and added to it, have cultural activities, social activities etc. It is advised by the respondent that the petitioner shall install CCTV cameras and monitor the activities of the petitioner's association as per the Puducherry Police Act, for which the petitioner has to obtain a license. The respondent police are interfering with the peaceful functioning of the petitioner's association and no licence have been granted. Hence the present petition.

3. The learned Public Prosecutor (Puducherry) submitted that the petitioner had not made any application for licence under the Puducherry Police Act. After he makes an application only, enquiry will be conducted on the petitioner's association and the functioning of the club can be verified and mere registration in the Society Registration Act would not entitle the petitioner to run the club activities. Further on the direction of this Court, enquiry was conducted by the Inspector of Police,"O"Circle, Yanam who had visited the place and found that no such Association or recreation club is functioning in Door No.7-15-114/1, Rajeev Gandhi Beach Road, Ferry Road, Yanam address in Yanam. He further submitted that it is a single storeyed building where the top floor is under construction and the ground floor is rented to one Yarragunta Suryanarayana S/o Y.Chitti Babu. He is living with his family for the last 16 months. Enquiry with the house owner, tenant and the neighbourhood were conducted and no one confirmed the functioning of the recreation club in the above said address. The owner of the building Reddapragada Baskara Sathyanarayana S/o Dasarada Ramayya is residing at No.E2, 7 Hills Apartment, Ashok Nagar, Kakinada, East Godavari District, Andhra Pradesh along with his wife Tmt.Rebba Pragada Savithri Devi. Further the house owner informed that he had given his house for rent to Yarragunta Suryanarayana and not rented out the house for any person for running any association or recreation club.

4. On the submissions and on perusal of the materials, this



court finds that the petitioner is unable to produce any rental agreement in the said property though claiming an oral agreement it appears to be untrue. In view of the report filed by the Inspector of Police, "O"Circle, Yanam, the petitioner is yet to make his application under Puducherry Police Act for license.

5. In view of the same, this Writ Petition is dismissed and the connected miscellaneous petition is closed. No Costs.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

mp/mdl

To

1. The Secretary,
Government of Puducherry
Home Ministry of Puducherry
Puducherry.
2. The Senior Superintendent of Police,
Yanam District, Puducherry.
3. The Superintendent of Police,
Yanam District,
Puducherry.
4. The Inspector of Police,
Yanam Police Station,
Puducherry.
5. The Public Prosecutor, Puducherry,
High Court, Madras.

+1cc to Mr.I.Sudhakaran, Advocate, S.R.No.63212

W.P.No.23561 of 2021 &
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KG(CO)
RGA(14/12/2021)