



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

W.P.(MD)No.19381 of 2020

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Isai Manamahil Mandram,
Rep. by its President,
No.7/5, 1/2, Bharathi Nagar,
Kalappakadu,
Aranthangi,
Aranthangi Taluk,
Pudukkottai District.

... Petitioner

Vs.

1.The Superintendant of Police,
Pudukkottai,
Pudukkottai District.

2.The Deputy Superintendant of Police,
Aranthangi,
Pudukkottai District.

3.The Inspector of Police,
Aranthangi Police Station,
Aranthangi,
Pudukkottai District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, forbearing the respondents from interfering with the lawful activity of playing of "Rummy"(13 cards) by the members of the petitioner's association.

For Petitioner : Mr. K.Gokul

For Respondents : Mr.R.Saravana Kumar
Government Advocate (Crl. Side)

ORDER

By consent, this Writ Petition is taken for final hearing.

2.The grievance of the petitioner is that the club was registered under Tamil Nadu Societies Registration Rules, 1978 and that the petitioner is carrying on the social welfare activities for their members.



3. According to the petitioner, the respondent police is frequently visiting the petitioner's premises without following any provisions of law and preventing them from doing their activities peacefully.

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4. Mr. R. Saravana Kumar, learned Government Advocate, who accepts notice for the respondents, would submit that the police on receipt of secret information on 06.11.2020, inspected the premises of the petitioner's Society and found some persons playing rummy for gain. According to him, the police seized a sum of Rs.44,790/- and after investigation, final report was also made ready. He would also submit that in the earlier writ petition in W.P.(MD) No.3471 of 2020, this Court directed the petitioner to submit necessary application under Section 34 of the Madurai City Police Act, 1888, before the competent authority, within a period of two weeks for getting licence under Section 3 of the Tamil Nadu Places of Public Resorts Act, 1888, and that the petitioner did not file any such application so far.

5. Since the police authorities have found some persons of the members of the Society playing rummy for gain and FIR was also registered, the writ of Mandamus as sought for by the petitioner cannot be granted. It is also pertinent to mention that no license is obtained by the petitioner till date.

6. At this juncture, the learned counsel appearing for the petitioner, requested that the petitioner may be granted permission to file necessary application for getting license before the concerned authority.

7. Considering the above said submissions, a further period of four weeks time is granted to the petitioner to get license from the authorities concerned, after filing necessary application.

8. With the above observations, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Superintendant of Police,
Pudukkottai,
Pudukkottai District.
- 2.The Deputy Superintendant of Police,
Aranthangi,
Pudukkottai District.
- 3.The Inspector of Police,
Aranthangi Police Station,
Aranthangi,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.K.GOKUL, Advocate (SR-538[F] dated 07/01/2021)

W.P. (MD)No.19381 of 2020
06.01.2021

NA(CO)
TR(22.01.2021) 3P 6C