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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.NO.1377 OF 2022

Kongu Kings Recreation Club of Erode District,
Rep. by its President T.M.Santhosh
Having Office at Door No.4/367, Pattaraimeadu,
Moolavaikkal, Sathy Main Road,
Alahu Kizhi,
Gobichettipalayam Taluk,
Erode District - 638 476.

... Petitioner

Versus

1. The Superintendent of Police,
Office of the Superintendent of Police,
Erode District.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Gobichettipalayam Sub Division,
Erode District.
3. The Inspector of Police,
Kadathur Police Station,
Erode District.

...Respondents

PRAYER:

This Writ Petition has been filed under Article 226 of Constitution of India praying for issuance of a Writ of Mandamus forbearing the respondents , their men, agents and officials from in any manner interfering and disturbing with the day to day affairs of business and other lawful activities at the premises of petitioner club viz Kongu Kings Recreation Club of Erode District situated at Door No.4/367, Pattaraimeadu, Moolavaikkal, Sathy Main Road, Alahu Kizhi, Gobichettipalayam Taluk, Erode District - 638 476 or the right of the members of the petitioner club to avail the facilities provided as stated in the memorandum of Association including for playing of rummy cards not involving any element of money or gambling.



For Petitioner : Mr.R.Prabakar
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

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O R D E R

This Writ Petition has been filed forbearing the respondents , their men, agents and officials from in any manner interfering and disturbing with the day to day affairs of business and other lawful activities at the premises of petitioner club viz Kongu Kings Recreation Club of Erode District situated at Door No.4/367, Pattaraimeedu, Moolavaikkal, Sathy Main Road, Alahu Kizhi, Gobichettipalayam Taluk, Erode District - 638 476 or the right of the members of the petitioner club to avail the facilities provided as stated in the memorandum of Association including for playing of rummy cards not involving any element of money or gambling.

2. The petitioner herein is the President of Kongu Kings Recreation Club of Erode District had sent a representation on 10.09.2021 to the District Superintendent of Police stating that the petitioner's club is registered under the Tamil Nadu Societies Registration Act, 1975 and proposed to commence the activities of the club shortly and that there are 9 Executive members and the other members list are available in the club and they apprehend that the respondent Police would interfere with the normal functioning of the club and further for the purpose of no objection certificate, approval of the Superintendent of Police is necessary.

3. The learned Additional Public Prosecutor submits that as per the procedure contemplated in G.O.No.15, M.A. & W.S (M.C-1), Department dated 31.01.2019, appropriate permission can be granted.

4. Heard the learned counsel appearing on either side and have perused the materials placed on record.

5. Considering the facts and circumstances of the case and also considering the submissions made, the petitioner is directed to furnish a copy of the representation dated 10.09.2021 along with the necessary documents to the Superintendent of Police, within a period of two weeks from the date of receipt of a copy of this order and thereafter the first respondent shall consider the representation of the petitioner and pass orders on merits and in accordance with law within a period of four (4) weeks from the date of receipt of a copy of this order.



6. With the above direction and observation this Writ Petition is disposed of. No costs.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rap/arr

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Erode District.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Gobichettipalayam Sub Division,
Erode District.
3. The Inspector of Police,
Kadathur Police Station,
Erode District.
4. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.R.Prabakar, Advocate, S.R.No.6062

W.P.No1377 of 2021

SRA (CO)
PM/14/02/2022