



W.P.No.26899 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.10.2022

CORAM:

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.No.26899 of 2021

K.V.Kuppum Nanbaergal Vilayatutu Mambattu Sangam,
Represented by S.Raja (The Secretary)
Reg.No.Vellore 281/2019,
No.99/100, Sriram Nagar,
Seethe Ram Patai,
K.V.Kuppam

... Petitioner

Vs.

1. The Deputy Inspector General of Police,
Vellore Range, Vellore.
2. The Superintendent of Police,
Vellore, Vellore District.
3. Deputy Inspector of Police,
Gudiyatham,
Vellore District.
4. Inspector of Police,
K.V.Kuppam,
Vellore District.

...Respondents



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Writ petition is filed under Section 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to forbear the 4th respondent from interfering with the lawful activities of the registered club and to consider my representation made to respondent 1 to 3 dated 26.08.2021 and 25.09.2021.

For petitioner : Mr.J.Kannan

For Respondents : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

This Writ Petition has been preferred seeking direction to forbear the 4th respondent from interfering with the lawful activities of the registered club and to consider the representation of the petitioner, dated 26.08.2021 and 25.09.2021.

2. The petitioner is a registered recreational club involved in various sports activities established by an Ex-service man for the purpose of entertaining the village people and to develop sports activities such as Cricket, football, chess and playing cards among them. The games are played without any involvement of money and hence there is no gambling. The petitioner has got proper permission from I.G.Vellore, vide Petition



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No.7SPG/SB/2020 to open and clean the club premises. On 14.12.2020, when the workers were cleaning the club premises, the Inspector of Police, KV Kuppam, Vellore came suddenly along with other police personnels and scolded the Secretary and other members of the society in filthy language and broke the things indiscriminately. They threatened the members with dire consequence. Thereafter the members were brought to the Police Station and kept them in illegal custody for more than seven hours. For no valid reasons, a case has been registered against the Secretary and others in crime No.704 of 2020 on 14.12.2020. Since the Secretary of the Club has given a private complaint under Section 200 Cr.P.C., before the Court, the Police started to harass and humiliate the Secretary and others in the guise of investigation and enquiry. Repeated cases have been filed against the members. No action has been taken on the complaint given by the Secretary by alleging the harassment given by the police. Since the respondent Police continue to harass the Secretary and others, they are constrained to file the present Writ petition for the aforesaid relief.

3. The records would show that the petitioner is a registered society



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under Tamil Nadu Societies Registration Act – 1975. The Secretary of the club himself has given a complaint to the 2nd respondent viz., the Superintendent of Police on 17.12.2020, by alleging the assault committed by the Police. It is submitted that inspite of repeated representations given requesting not to interfere with the lawful activities like sports activities, the 4th respondent continues to threaten the Secretary of the club.

4. The learned Additional Public Prosecutor would submit that the respondent Police will not interfere if the petitioner club is involved in playing games without involvement of money or gambling.

5. Admittedly, there is no material available to show that any complaint has been received against the petitioner club that they had involved in gambling or any other unlawful activities. Hence, the 4th respondent shall not interfere with the lawful activities of the club. If the petitioner club conducts any illegal activities, only then the 4th respondent can initiate action.

6. With the above terms, this Writ petition stands disposed of. No



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Index:yes/No

Speaking order / Non speaking order

To

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R.N.MANJULA,J.

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