



W.P.No.27010 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2022

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THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.No.27010 of 2021

and

W.M.P.No.No.28454 of 2021

Udumalpet Recreation Club,
Represented by its Secretary,
M.Gururajamoorthy

... Petitioner

Vs.

1.The Superintendent of Police,
Tiruppur District.

2.The Inspector of Police,
Udumalpet Police Station,
Udumalpet.

... Respondents

Prayer: This Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents to not to harass the Petitioner or its members who engage themselves in playing cards namely the Game of Rummy in the Club premises at Kalpana Road, Udumalpet - 642 126, Tiruppur District.

For Petitioner

: Mr.A.R.L.Sundaresan
Senior Counsel
for AL.Ganthimathi

For Respondents

: Mr.L.Baskaran
Government Advocate (Crl. Side)



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ORDER

The Present Writ Petition had been filed by the Petitioner seeking direction to the Respondents to not to harass the Petitioner or its members who engage themselves in playing cards namely the Game of Rummy in the Club premises at Kalpana Road, Udumalpet – 642 126, Tiruppur District.

2. The learned Senior Counsel for the Petitioner submitted that the Petitioner shall not be harassed by the Respondents.

3. The learned Senior Counsel for the Petitioner relied on reported ruling of this Court in **2012(2) CTC 484** in the case of ***the Director General of Police, State of Tamil Nadu vs. Mahalakshmi Cultural Association*** and he further relied on para 5 of the affidavit filed by the Petitioner, which is extracted hereunder:

"5. I submit that we immediately stated that our members have been playing the game of RUMMY which is a game of skill that too without stakes, right from the inception of our Club and even otherwise it is not a game of chance and hence is not prohibited under any law."

4. The learned Government Advocate (Crl. Side) submitted that if the



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members of the Petitioner Club have been playing the game without stakes,
an undertaking to that effect may be obtained from the Petitioner.

5. On filing the undertaking by the sworn affidavit by the Secretary of the Udumalpet Recreation Club before this Court duly notarised, the Present Writ Petition stands allowed. The Petitioner is directed to furnish notarized undertaking and sworn affidavit to the first Respondent. On furnishing such notarised undertaking and sworn affidavit, the Respondents are directed not to harass the Petitioner and its members. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No
Internet : Yes / No
Speaking Order/Non-Speaking Order
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To
1.The Superintendent of Police,
Tiruppur District.

2.The Inspector of Police,
Udumalpet Police Station,
Udumalpet.

SATHI KUMAR SUKUMARA KURUP, J.



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