



WP.No.27561 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.10.2022

CORAM

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.27561 of 2022

A. Kalidoss
Secretary,
Sri Thiruppathi Sports & Recreation Club,
Malaipalayam, Alagu Thottam,
Thonguttipalayam,
Tirpur 641 665

.. Petitioner

Vs

1. The Superintendent of Police,
Office of the Superintendent of Police,
Tiruppur, Tiruppur District
2. The Deputy Superintendent of Police,
Palladam, Tiruppur District.
3. The Inspector of Police,
Avinashipalayam Police Station,
Tiruppur District.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, forbearing the respondents
from in any manner interfering with the affairs of the petitioner's club viz., Sri
Thiruppathi Sport & Recreation Club, Malaipalayam, Alagu Thottam,



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Thonguttipalayam, Tirupur 641 665, its members including the facilities provided for playing various games including the game of playing rummy not involving any element of gambling.

For Petitioner : Mr.C.Saravanan

For Respondents : Mr. S. Santhosh, GA

ORDER

This writ petition has been filed in the nature of Mandamus, seeking a direction to the respondents not to interfere with the affairs of the petitioner's club and its members for playing rummy not involving any element of gambling.

2. According to the petitioner, who is representing Sri Thiruppathi Sports & Recreation Club as its Secretary, the said Club is a non political organisation established for the general welfare of the public at large. The members of the club have been playing various indoor games and out door games, likewise, the elder members of the club used to play rummy which is not prohibited game under the gaming laws of the State. While so, the respondents 2 and 3 are insisting the Executive Members of the Committee that they should not allow the members of the club to play the game of



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Rummy at any cost, thereby interfering with the activities of the petitioner club frequently, inspite of explanation given by the petitioner club to the respondent that there is no illegal activities carried on in the club. The action of the respondents in interfering with the lawful activities of the petitioner club seriously affect the rights of the members of the club. Therefore the petitioner has filed the present writ petition for the aforesaid relief.

3. Learned counsel for the petitioner submitted that since there is no play of gambling in the petitioner's club, the respondents ought not have interfered with the activities of the club, therefore the action of the respondents are arbitrary and unreasonable. He would further submit that the petitioner club has also sent its representation on 25.09.2022 before the first respondent. Thus he prayed for appropriate direction.

4. When the matter was taken up for hearing, the learned Govt. Advocate (crl.side) appearing for the respondent police submitted that the petitioner is an accused in a case registered in Crime No.306 of 2022 for the offence punishable under section 8 and 9 of Gaming Act and in order to avoid the



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case, the petitioner gave his representation dated 25.09.2022 before the first respondent admitting that the representation given by the petitioner is pending with him.

5. Recording the submission of the learned Govt. Advocate (crl.side), the first respondent is directed to consider the representation of the petitioner dated 25.09.2022 and take suitable action on the same on merits and in accordance with law.

6. The writ petition is disposed of with the above direction. No costs.

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Index : Yes / No

Internet : Yes/ No

msr

To

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V. SIVAGNANAM, J.

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