



WEB COPY



W.P.No.29243 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2022

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THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P.No.29243 of 2022
and W.M.P.No.28536 of 2022

K.G.F.Recreation Club
Represented by its Secretary
R.Loganathan
No.395, Lakshmi Nagar,
Mazhumiccham Patti,
Shetty Palayam Road,
Coimbatore – 641 050.

... Petitioner

/vs/

1. The Superintendent of Police,
Coimbatore District,
Coimbatore.
2. The Deputy Superintendent of Police,
Coimbatore South (Urban)
Coimbatore District.
3. The Inspector of Police,
Chettypalayam Police Station,
Sulur Taluk,
Coimbatore District.

... Respondents



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Prayer : Writ Petition has been filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the 3rd respondent not to interfere in day to day activities in petitioner's Club at No.395, Lakshmi Nagar, Mazhumicham Patti, Shetty Palayam Road, Coimbatore – 641 050, without the sanction of respondent 1st and 2nd as contemplated under the Tamil Nadu Gaming Act, 1930.

For Petitioner	...	Mr. S.Pavithra
For Respondents	...	Mr.S.Santhosh Govt. Advocate (Crl.Side)

ORDER

This Writ Petition has been filed for the issuance of a writ of Mandamus directing the 3rd respondent not to interfere in the day to day activities of petitioner's Club situated at No.395, Lakshmi Nagar, Mazhumicham Patti, Shetty Palayam Road, Coimbatore – 641 050, without the sanction of respondent 1st and 2nd as contemplated under the Tamil Nadu Gaming Act, 1930.



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2. The learned counsel for the petitioner submitted that the petitioner is a recreation club registered under the Societies Registration Act 1975, in Registration No.SRG/Coimbatore/294/2022 situated at No.395, Lakshmi Nagar, Mazhumicham Patti, Shetty Palayam Road, Coimbatore – 641 050; the objective of the recreation club is to encourage the members to play Carrom, Table Tennis, Chess, Basketball, Dancing, Volley ball, etc.; the petitioner is not conducting any game of betting or wagering.; however the third respondent is frequently interfering with the day-to-day activities of the association which affects the reputation of the petitioner club in the society. Hence, this writ petition has been filed.

3. The learned Government Advocate (Crl.side) submitted that a representation has been given by the petitioner in this regard on 01.10.2022 and it will be considered in accordance with law. It is further submitted by the learned Government Advocate that the petitioner cannot seek a blanket direction since the duty borne by the respondent is to interfere if at all law and order problem occurs.



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4. Only if proper enquiry is conducted on the representation given by the petitioner, the respondents can ascertain whether any complaints are pending against the petitioner club. Hence, I feel it is essential to direct the first respondent to complete enquiry on the representation given by the petitioner and do the needful in accordance with law.

5. Accordingly, this Writ Petition is disposed with a direction to the first respondent to consider the petitioner's representation dated 01.10.2022 and pass orders in accordance with law within a period of three weeks from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

07.11.2022

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To

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1. The Superintendent of Police,
Coimbatore District,
Coimbatore.
2. The Deputy Superintendent of Police,
Coimbatore South (Urban)
Coimbatore District.
3. The Inspector of Police,
Chettypalayam Police Station,
Sulur Taluk,
Coimbatore District.
4. The Public Prosecutor,
High Court, Madras.



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R.N.MANJULA ,J.

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