



W.P.No.11810 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.11810 of 2022

Mettur Sri Bannari Amman Sports and Recreation Club,
Represented by its President,
R.Nagaraj

...Petitioner

Vs.

1. The District Superintendent of Police,
Salem District.

2. The Inspector of Police,
Mettur Police Station,
Salem District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents Police from preventing the members of the petitioner's club playing the game of rummy along with Carom Board, Table Tennis, Chess, Gym, Billiards and Library at Mettur Sri Bannari Amman Sports and Recreation Club situated at Mettur Workshop Corner, Mettur Taluk, Salem District by providing necessary Police Protection pursuant to the petitioner's representation, dated 29.11.2021.



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For Petitioner : Mr.C.Deepak Kumar

For Respondents : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

This writ petition has been filed, seeking to issue a Writ of mandamus forbearing the respondents Police from interfering with the running of the club named as Sri Bannari Amman Sports and Recreation Club situated at Mettur Workshop Corner, Mettur Taluk, Salem District and sought for Police Protection based on the representation of the petitioner, dated 29.11.2021.

2. Heard Mr.C.Deepak Kumar, the learned counsel for the petitioner and Mr.A.Gopinath, learned Government Advocate (Crl. Side) appearing for the respondent.

3. The 2nd respondent has filed counter affidavit and relevant portion of the counter affidavit is extracted below:

“2. It is humbly submitted that the averments stated in para No '2' of the Affidavit pertaining to the place in which the petitioner club is alleged to be situated is false



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and not correct and the petitioner is put to the strict proof in connection with the averments pertaining to the registration of the Club and the number of its members. It is further submitted, that no such club is situated at Mettur work shop corner as stated in the affidavit.

3. It is humbly submitted that, the averments stated in Para No '3' of the Affidavit are false and not correct. It is further submitted that, there is no Gym and library as stated by the petitioner and the petitioner is put to strict proof pertaining to the Coaching Provided by the petitioner club for other games like Cricket, Carom Board, Table Tennis, Chess, Kabbadi and other games and also support to poor people and education of their children.

4. It is humbly submitted that the averments stated in para no '4' of the affidavit are false and not correct. It is further submitted that, the place wherein the petitioner has alleged that the club is situated is a commercial building consisting of Ten shops and no club is functioning is that building either in the name of the petitioner club (or) in any other name, Further, the building has no sign (or) boards showing that a club is functioning at that place and there is no sign of presence of any indoor facilities, of carom board, Table Tennis, Chess, Gym, Billiards, and library etc., and no interference has been caused in the



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guise of inspection since no such club is there.

5. It is humbly submitted that, the representation sent by the petitioner as stated in para no.'5' of the affidavit was not considered since no such club as stated by the petitioner is functioning at the place and since no such club is there no interference was caused in the guise of inspection.”

4. In the light of the above stand taken by the 2nd respondent, it is seen that the relief sought for by the petitioner cannot be granted. Accordingly, this Writ Petition stands dismissed. No costs.

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Speaking Order/Non-Speaking Order
Index: Yes/No
vum

To

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WEB COPY

1. The District Superintendent of Police,
Salem District.
2. The Inspector of Police,
Mettur Police Station,
Salem District.
3. The Public Prosecutor
High Court, Madras.



WEB COPY



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N.ANAND VENKATESH.J.,

vum

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