



Crl.O.P.(MD)No.590 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.04.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.590 of 2023

Top 10 Sports and Recreation Club,
Rep. by its President N.Muthiah,
Puliyur Village,
Thiruppuvanam Taluk,
Sivagangai District.

... Petitioner

Vs.

1.The Superintendent of Police,
Sivagangai District, Sivagangai.

2.The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.

3.The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents not to harass the petitioner and his club under the guise of enquiry/inspection and to desist from visiting the premises of the petitioner club.

For Petitioner : Mr.R.Murugan

For Respondents : Mr.T.Senthilkumar
Additional Public Prosecutor



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ORDER

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The petitioner has approached this Court that the respondents are harassing the petitioner and his club under the guise of enquiry/inspection.

2.The learned Counsel for the petitioner submits that the petitioner has registered the club with the Societies of Registrar. Even thereafter, the respondents police are harassing him.

3.The learned Additional Public Prosecutor submits that any public building including a club is to be registered and licence to be obtained from the Tahsildar under Section 4 of Tamil Nadu Public Building Licensing Act 1965. However, the petitioner has not obtained any valid licence either from the Tahsildar or from the appropriate authorities for running the club. Section 2(8) of Tamil Nadu Public Building Licensing Act 1965 defines the public building as:

- (i) “public building” means any building-
- (a) used as a-
- (i) school (including a tutorial school) or college (including a tutorial college) or University or other educational institution;
- (ii) hostel;
- (iii) library;
- (iv) hospital, nursing home, dispensary, clinic or maternity



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centre;

(v) club;

(vi) lodging house, boarding house or hotel; or

(vii) choultry;

4.Considering the rival submissions made and in view of the above provision, this petition is dismissed with a direction to the petitioner to approach the concerned authority, obtain necessary licence and thereafter, run the business.

29.04.2024

NCC : Yes/No

Index : Yes/No

Internet:Yes

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To

- 1.The Superintendent of Police,
Sivagangai District, Sivagangai.
- 2.The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.
- 3.The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

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Order made in
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