



W.P.(MD)No.3701 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.3701 of 2023

Jolly Manamahil Mandram,
Represented by its Secretary,
P.Sambath Kumar

... Petitioner

Vs

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

2.The Deputy Superintendent of Police,
Periyakulam, Theni District.

3.The Inspector of Police,
Periyakulam Police Station,
Periyakulam,
Theni District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to provide adequate police protection during the functioning of the petitioner / recreation club and its bar situated at Ward No.6, V.R.B.Street, Vadakarai Village, Periyakulam Taluk, Theni District, on the basis of the petitioner's complaint dated 31.01.2023.

For Petitioner : Mr.T.Bashyam

For R-1 to R-3 : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)



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W.P.(MD)No.3701 of 2023

ORDER

This Writ Petition is filed under Article 226 of the Constitution of India seeking for a direction to the respondent Police to provide protection for running a recreation club and the bar from any social elements basing on the representation to the respondent Police, dated 31.01.2023.

2. It is submitted by learned counsel for the petitioner that the petitioner / Jolly Manamahil Mandram was registered under the Tamil Nadu Societies Registration Act, 1975, with its Number 155 / 2018 on 24.09.2018 and also obtained license under Form-D from the Tahsildar to run the Club and the petitioner has also taken license for possession of liquor from the Commissioner of Prohibition and Excise Department on 02.11.2022. The petitioner has also enclosed all the documents relevant. It is submitted that the petitioner has opened the club for a day and had closed down on the threat given by unknown persons in the Society. Therefore, sought for suitable directions.

3. Learned Government Advocate (Criminal Side) submits that the petitioner has been paying more than a sum of Rs.8,00,000/- last year and also this year, a sum of Rs.8,00,000/- towards the privilege and license fees to open the recreation club. Learned Government Advocate (Criminal Side) further



W.P.(MD)No.3701 of 2023

submits that, nearby the Club, there are Government Schools and the people of Jamath have conducted the protest, thereby, the said Club was closed.

4. In view of the submissions made by both sides, the respondent Police are directed to dispose of the representation of the petitioner, dated 31.01.2023 and in case, if the petitioner has got any license from the local bodies and also valid permission from the Prohibition and Excise Department and from the local Municipal authorities for running the recreation club and bar, the respondent Police are directed to consider the representation for giving sufficient protection.

5. With the above direction, this writ petition is disposed of. No costs.

14.09.2023

NCC:yes/no

Index:yes/no

Internet:yes/no

tsg

To

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

2.The Deputy Superintendent of Police,
Periyakulam, Theni District.

3.The Inspector of Police,
Periyakulam Police Station,
Periyakulam, Theni District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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W.P.(MD)No.3701 of 2023

DR.D.NAGARJUN, J.

tsg

W.P.(MD)No.3701 of 2023

14.09.2023