



W.P(MD)No.5220 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:07.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.5220 of 2023

Dindigul Poorvika Recreation Club,
Having its Office at
No.101/5, S.P.Complex,
East Meenakshi Settinayakambatti,
Service Road, Karumbapatti Village,
Dindigul – 624 004,
Rep. by its Secretary,
S.Ramesh.

... Petitioner

Vs.

1.The Superintendent of Police,
O/o. The Superintendent of Police,
Dindigul, Dindigul District.

2.The Inspector of Police,
Thadikkombu Police Station,
Dindigul – 624 709,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents police not to compel or pressurize them to close down their club viz., “Dindigul Poorvika Recreation Club”, situated at No.101/5,



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S.P.Complex, East Meenakshi Settinayakambatti, Service Road, Karumbapatti Village, Dindigul and consequently, direct the respondents not to interfere in the activities such as indoor games like, carom, chess and 13 cards rummy in accordance with law and not to harass the petitioner in the guise of enquiry.

For Petitioner : Mr.A.Mohamed Riyaz
For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

The writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the respondents police not to compel or pressurize them to close down their club viz., “Dindigul Poorvika Recreation Club”, situated at No.101/5, S.P.Complex, East Meenakshi Settinayakambatti, Service Road, Karumbapatti Village, Dindigul and consequently, direct the respondents not to interfere in the activities such as indoor games like, carom, chess and 13 cards rummy in accordance with law and not to harass the petitioner in the guise of enquiry.

2.The facts in brief:

The petitioners are running a club called Dindigul Poorvika



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Recreation Club, which has also obtained proper licence from the Government. It is usual for the police to visit the club in the evenings regularly, caused disturbances and threatened to close the club. They already got proper permission for playing the indoor games such as chess, carom and 13 card rummy. Moreover, the right of enquiry into the recreation club is available only to District Superintendent of Police. Neither the Inspector of Police nor the Sub Inspector have any right to make such an entry. Since frequent trouble has been made by the police this petition has been filed seeking writ of Mandamus.

3. When the matter is taken up for hearing, the learned Additional Public Prosecutor would submit that on the basis of the representation made by the petitioner, enquiry was undertaken. During the course of enquiry, it was found that no trouble was made to the association by the respondent. On that ground the above said representation was closed. But, further it is seen that the above said Recreation club is not properly registered as per the provisions of the Tamil Nadu Places of Public Resort Act, 1888.



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4.In view of the above said, it is the duty of the petitioner, to get the club properly licensed. Mere forming of association and registering the same with the Central Government is not enough. Forming association is entirely different from getting proper licence as per the provisions of the above said Act.

5.Let the petitioner file proper application before the concerned authority, within a week from the date of receipt of a copy of this order. Here the concerned authority is the District Collector. On such receipt of the application, the concerned authority shall consider the same and dispose of it on its own merits and in accordance with law, within a period of **fifteen days** from the date of receipt of the application from the petitioner.

6.With the above said directions, this writ petition stands disposed of. No costs.

07.06.2023

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
TM



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To

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2. The Inspector of Police,
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Dindigul – 624 709,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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