



W.P.(MD)No.22214 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED:13.09.2023

CORAM

THE HON'BLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.22214 of 2023

K.Senthil Kumar

... Petitioner

Vs.

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul,
Dindigul District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Vedasandur Range,
Dindigul,
Dindigul District.
- 3.The Inspector of Police,
Gujiliamparai Police Station,
Gujiliamparai,
Dindigul District.
- 4.The Inspector of Police,
Eriodu Police Station,
Eriodu,
Dindigul District.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to give permission to run the Recreation Club by name and style of “Senthil Kumar Recreation Club-Vedasandur” in the venue of No.3/182, Kalingapatti, Natham Medu, Mahalakshmi Nagar, D.Gudalur, Dindigul District, by considering the petitioner's representation dated 06.06.2023 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Rajaselvan

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (crl.side)

ORDER

This Writ Petition is filed seeking for a direction to the respondents Police to dispose of the representation dated 06.06.2023 given by the petitioner in accordance with law within a time frame fixed by this Court.

2. It is submitted by the learned counsel appearing for the petitioner that the petitioner is a President of Senthil Kumar Recreation Club-Vedasandur and the said Club was registered under the Tamil Nadu Societies Registration Act, 1975 and a copy of the Registration



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Certificate and the bye-laws have also been filed before this Court. It is submitted that the respondents Police without any authority or right has closed the Club on 04.05.2023 and the petitioner is running the Club without any violation of the Rules or bye-laws made thereunder. Therefore, a representation was given to the Police by the petitioner on 06.06.2023. Even then, the Police have not been attending the same. Thereby, he sought for suitable directions.

3. The learned Government Advocate (Criminal side) appearing for the respondents Police submits that the respondents Police have received the representation of the petitioner dated 06.06.2023 and the same is registered as C.S.R.No.645 of 2023 and thereafter, summons were issued, on which, the petitioner appeared and during the course of enquiry, the Police are stated to have informed the petitioner that for opening and running the Recreation Club, the permission of the Police is not required and the petitioner was advised to follow the procedure and not to violate any of the Rules or bye-laws. Accordingly, C.S.R.No.645 of 2023 was closed on 12.09.2023. It is further submitted that basing on a complaint given by one T.R.Ponraj, the Police have



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registered a case in Crime No.87 of 2023 for the offence punishable under Sections 8 and 9 of Tamil Nadu Gambling Act, against the petitioner and other accused alleging that they have committed the offence and the petitioner is permitting the non-members and playing rummy by betting money.

4. Considering the submissions made by both sides, since the Police are stated to have informed the petitioner that they do not have any objection for opening the Club, this Writ Petition is disposed of by giving liberty to the petitioner to reopen the Recreation Club and run the same without violating any of the Rules and Bye-laws. There shall be no order as to costs.

13.09.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
ssb



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Gujiliamparai,
Dindigul District.
- 4.The Inspector of Police,
Eriodu Police Station,
Eriodu,
Dindigul District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN,J

ssb

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