



W.P.(MD)No.20755 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED:28.08.2023

CORAM

THE HON'BLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.20755 of 2023

E.Jayaprabhu

... Petitioner

Vs.

1.The State rep.by
The Superintendent of Police,
Trichy District.

2.The Inspector of Police,
Thuvvakudi Police Station,
Trichy District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the second respondent and their subordinates from interfering with the peaceful function and affairs of the petitioner club in any manner without any reasonable cause in the premises (i.e.,) Naga World Recreation Club situated at No.10/253, Arunapuri Nagar, Valavanthankottai, Trichy-620 015.

For Petitioner : Mr.B.Jameelarasu

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



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ORDER

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This Writ Petition is filed seeking for a Mandamus to the respondents Police to forbear the second respondent from interfering with the peaceful functioning of the petitioner's club situated at No. 10/253, Arunapuri Nagar, Valavanthankottai, Trichy-620 015, in any manner.

2. It is submitted by the learned counsel appearing for the petitioner that the retired employees and others have formed into a club about seven months back for recreation and supports. However, the respondents Police unnecessarily without following any procedure are trying to visit the club and harassing the people and making the club members to panic and therefore, he sought for suitable directions.

3. The learned Government Advocate (criminal side) appearing for the official respondents submits that on getting tip from identifying the persons, the Police have visited the premises of the petitioner's club on 18.08.2023 and found about 24 non-members and one member of the club taking liquor without any permission or license, playing the rummy



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by betting the money against the Rules. Accordingly, the money was seized and all the 25 persons were arrested and produced before the Court. Therefore, once *prima facie* there is a material that the petitioner's club is indulging in activities not required to be taken place in a club, the petitioner cannot submit that the petitioner's club has not violated any of the conditions. It is further submitted that before identifying the persons, information was given to the learned Magistrate as well as the Higher officials including the Deputy Superintendent of Police.

5. In view of the above, the relief sought for by the petitioner cannot be granted.

6. Accordingly, this Writ Petition is dismissed. However, the respondents Police are directed to follow the procedure before riding in the petitioner's club. There shall be no order as to costs.

28.08.2023

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

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To

- 1.The Superintendent of Police,
Trichy District.
- 2.The Inspector of Police,
Thuvvakudi Police Station,
Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN,J

ssb

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