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Writ Petition No.24009 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2024

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THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Writ Petition No.24009 of 2024

Sun Raja Sports Association
Rep.by the Secretary
S.Sabari Akash

... Petitioner

Vs.

1.The Deputy Commissioner of Police
Salem City.

2.The Assistant Commissioner of Police
Kondalampatti Range
Kondalampatti
Salem City.

3.The Inspector of Police
Kondalampatti Police Station
Kondalampatti
Salem City.

... Respondents

PRAYER : Writ Petition filed under Article 227 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 1st respondent to consider the petitioner representation to the respondents dated 23.07.2024 to accept the transfer of Sun Raja Sports Association Venue from Veeranam to Kondalampatti, Salem City with the jurisdiction of the 3rd respondent



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police and further forbear the 3rd respondent from interfering in anyways with the day to day affairs and recreational activities of the petitioners club at the petitioners premises named as The Sun Raja Sports Association, (Reg. No. 42/2014) at No. 8/937, Neikarapatti Road, Puttur Agraharam, Salem -636 010.

For the petitioner : Mr.J.Vijayaraja
For the respondents : Mr.S.Udaya Kumar
Government Advocate (Crl. Side)
for RR1 to 3

ORDER

This Writ Petition has been filed claiming that pursuant to the order passed by this Court in W.P.No.37256 of 2015 dated 26.09.2018 the petitioner was permitted to run M/s Sun Raja Sports Association at Veeranam.

2. The petitioner has shifted the association premises from Veeranam to Kondalampatti and has made a representation to consider the shifting of association premises and permit to run the recreation club.

3. The learned Government Advocate (Crl. Side) states that the petitioner had not got permission to run any recreation club either at



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Veeranam or at Kondalampatti. A proper application to be made with all necessary undertaking that the premises will not be used for any gambling purpose or any other illegal activity. Relying upon the direction passed by this Court on 26.09.2018, the petitioner makes an attempt to run the recreation club in a different place.

4. On perusal of the affidavit, it is seen that based on the earlier order passed by this Court, the Writ Petitioner made a representation before the Commissioner of Police, Salem on 23.07.2024 seeking permission to operate the Sun Raja Sports Association, in the new address. In the representation, he has stated that due to unforeseen circumstances, he has relocated the club from the old address to new address bearing no.8/937, Neikarapatti Road, Puttur Agraharam, Salem.

5. The learned Government Advocate (Crl. Side) submit that for establishing a recreation club, it should be registered under the Societies Act, being a place of public usage and occupation, necessary application should be made along with a clearance from the concerned Corporation /



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Municipality and the other requirements should also be complied and necessary informations should be furnished. A mere intimation of change of premises cannot be considered.

6. On perusal of the records, this Court finds that the existence of the recreation club at Veeranam itself not being under formal permission from the police or the local body. On the strength of the direction given by this Court, the petitioner running the recreation club at Veeranam, and request is made for shifting it to Kondalampatti. To run a recreation club, it is necessary for the petitioner to follow the procedure and run the club in accordance with law. Without proper application and permission, he cannot be permitted to run the recreation club as prayed.

7. Hence, this Writ Petition is dismissed, with liberty to the petitioner to make appropriate application before the authorities along with necessary clearance from the local authority. No costs.

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16.08.2024

Index:Yes/No

Internet:Yes/No

Neutral citation : Yes/No

Speaking order/Non-speaking order



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To

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Dr.G.JAYACHANDRAN, J.,
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