



W.P.(MD)No.840 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:24.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.840 of 2022

D.Moses

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City-2.

2.The Inspector of Police,
S.S.Colony Police Station,
Madurai City-16.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned proceedings vide C.No.49873/V4/216/2020 dated 03.12.2021 passed by the first respondent and quash the same and consequently, direct the first respondent to issue licence to the petitioner's club name the Caribbean Recreation Club.

For Petitioner

:Mr.N.Karthik Kannan

For Respondents

: Mr.B.Nambiselvan
Additional Public Prosecutor



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ORDER

This Writ Petition has been filed challenging the impugned proceedings issued by the first respondent dated 03.12.2021 and for a consequential direction to the first respondent to issue licence to the petitioner's club, namely, the Caribbean Recreation Club.

2. The learned counsel appearing for the petitioner submits that the petitioner has made an application to grant fresh licence to operate the club in the name and style of “Caribbean Recreation Club” at the premises of No.42-A, Ponmeni Narayanan Street, S.S.Colony, Madurai and the said application was rejected under Section 34 of the City Police Act, 1888. Challenging the same, the present Writ Petition has been filed.

3. The learned counsel appearing for the petitioner further submits that though the petitioner has obtained licence at the earlier point of time, it was renewed periodically and for some time, it was not renewed. The petitioner has now improved the infrastructure. He further submits that it would suffice if this Court permits the petitioner to make a fresh



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application to the first respondent and directs the first respondent to consider the same and pass appropriate orders, without referring the earlier rejection order.

4. The learned Additional Public Prosecutor appearing for the respondents Police submits that the petitioner's application was rejected on the ground that two criminal cases were pending against the petitioner.

5. In reply to the same, the learned counsel appearing for the petitioner submits that no criminal case is pending against the petitioner.

6. Considering the limited request made by the learned counsel appearing for the petitioner, this Court, without interfering with the impugned order passed by the first respondent, directs the petitioner to make a fresh application before the first respondent and on such application being made, the first respondent is directed to consider



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the same and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

7. Accordingly, this Writ Petition is disposed of. No costs.

24.01.2024

ssb

NCC:Yes/No

Index:Yes/No

Internet:Yes/No

To:

1.The Commissioner of Police,
Madurai City-2.

2.The Inspector of Police,
S.S.Colony Police Station,
Madurai City-16.

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



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M.DHANDAPANI,J.

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