

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 28TH DAY OF MAY 2012

BEFORE

THE HON'BLE MR. JUSTICE AJIT J GUNJAL

W.P.NO.15509 OF 2012 (GM-POLICE)

BETWEEN

OM SRI.RECREATION
ASSOCIATION (REGD.)
BUILDING NO.9
SY.NO.11, MEDAHALLI
VIRGONAGAR POST
BANGALORE - 560 049.
REP BY ITS SECRETARY
MR.FAIROZ

...PETITIONER

(BY. SRI.N.DINAKAR, ADV.)

AND

1. STATE OF KARNATAKA
REP BY ITS SECRETARY
HOME DEPARTMENT
M.S.BUILDING, BANGALORE.
2. COMMISSIONER OF POLICE
INFANTRY ROAD
BANGALORE
3. STATION HOUSE OFFICER
K.R.PURAM POLICE STATION
BANGALORE.

...RESPONDENTS

(BY SRI.M.C.NAGASHREE, HCGP)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA WITH A PRAYER TO DIRECT THE RESPONDENTS NOT TO INTERFERE IN THE DAY TO DAY ACTIVITIES OF THE PETITIONER ASSOCIATION AND ETC.,

THIS W.P. COMING ON FOR *PRELIMINARY HEARING* THIS DAY THE COURT MADE THE FOLLOWING:

ORDER

Smt.M.C.Nagashree, learned HCGP is directed to take notice for respondents.

2. Even though the matter is listed for preliminary hearing, with consent, it is taken up for final disposal.

3. The petitioner is an Association registered under the Karnataka Societies Registration Act, 1960. The case of the petitioner-Association is that it is engaged in conducting sports and other cultural activities such as Carom, Chess, Dart, Rummy, Poker, and other indoor games for the benefit of its members. It is the case of the petitioner that the respondents are insisting that the petitioner should obtain license either under the Karnataka Police Act or under the provisions



of Licensing and Controlling of Places of Public Amusement Order 2002.

4. Identical questions have been considered by this Court in W.P.No.18625/2005 disposed of on 27.01.2006 holding that permission under the Police Act is not required to run a Society or a recreation club of the present nature and the petitioners need not obtain any license to run the recreation activities for the benefit of its members. Consequently, following order is passed:

(a) Petition stands ***allowed***.

(b) The respondents shall not insist that the petitioner should obtain the necessary license for the aforesaid games. But however, that shall exclude the Dart game, video game and electronic coin games.

(c) The respondents also shall monitor the activities of the Association.



Smt.M.C.Nagashree, learned HCGP appearing for respondents is permitted to file memo of appearance within four weeks.

Sd/-
JUDGE

SS