

**(2011) 12 KAR CK 0412**

**In the Karnataka High Court**

**Case No :** Writ Petition No. 44255 of 2011 (GM-Police)

M/s. Sai Recreation Association

APPELLANT

Vs

The State of Karnataka

RESPONDENT

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**Date of Decision :** 09-12-2011

**Acts Referred:**

Karnataka Police Act, 1963 — Section 31

**Citation :** (2011) 12 KAR CK 0412

**Hon'ble Judges :** B.S. Patil, J

**Bench :** Single Bench

**Advocate :** Gurudath. B.S, for the Appellant; H.T. Narendra Prasad, HCGP, for the Respondent

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## **Judgement**

B.S. Patil

1. Learned Government Pleader is directed to take notice for the respondents.
2. It is submitted by the learned counsel for both the parties that similar makers ore disposed of holding that as long as lawful recreational activities are carried on by the association such as the petitioner, there would be no requirement in law for taking permission from the police department either u/s 31 of the Karnataka Police Act or under any other licensing order Therefore, this matter is taken up for final disposal with the consent of both the parties.
3. In this writ petition, petitioner is seeking a direction to the respondents not to interfere with the internal activities of the petitioner in the matter of carrying on the recreational activities and that the respondent-Authorities be directed not to insist upon the petitioner to obtain license either under the Police Act or under the Licensing and controlling of Places of Public Amusement Act to run the recreation club permitting members of the association to play games like, Chess Rummy. Snooker, etc.
4. Learned counsel for the petitioner inviting the attention of the Court to the decision rendered by this Court in W.P. No. 2593/2005 disposed of on 30.03.2005

and other connected cases, submits that in similar circumstances following the division bench decision of this Court in Sanna Adike Belegarara Recreation Association and Others Vs. State of Karnataka and Others, , it has been held that the police Authorities have no power to interfere with the internal activities of an association as long as the recreational activities are carried on in accordance with law. However, while making the said observation, this Court has further placed a rider stating that the Authorities will have liberty to take such action, as is permissible in law, if the club or the association involves in any illegal or immoral activities.

5. In the light of the order passed by this Court in similar writ petitions referred to above, this writ petition is disposed of directing the respondent-Authorities not to interfere with the internal activities of the petitioner-Association as long the said activities carried on are lawful. It is made clear that the respondents will have liberty to take action in accordance with law, if the petitioner-association indulges in any illegal or immoral activities.

6. Learned Government Pleader is permitted to file his memo of appearance within three weeks.