

(2011) 03 KAR CK 0083
In the Karnataka High Court
Case No : Writ Petition No. 11764 of 2011

New Target Recreation Association	Vs	APPELLANT
The State of Karnataka and Others		RESPONDENT

Date of Decision : 25-03-2011

Acts Referred:

Karnataka Police Act, 1963 — Section 31

Citation : (2011) 03 KAR CK 0083

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

Bench : Single Bench

Advocate : Vishnu Bhat and D.T. Majesh Gowda, for the Appellant; M.C. Nagashree, HCGP, for the Respondent

Judgement

B.S. Patil, J.—Learned Government Pleader is directed to take notice for the Respondents.

2. In this writ petition, Petitioner is seeking a direction to the Respondents not to insist upon the Petitioner for obtaining license to carry on lawful recreational activities and functions in the Petitioner-Association.

3. The case of the Petitioner is that it is an association duly registered under the provisional of the Karnataka Societies Registration Act, 1960 with the object of providing recreation facilities to its members. The Petitioner Association, it is urged in the writ petition, is conducting social and entertainment activities such as indoor games like carrom, chess, snooker, electronic coin games, poker, wall game, video games, six colour games, rummy etc., and also outdoor games and that it is not involved in any illegal activities. It is the further contention of the Petitioner that for carrying out these activities, the Petitioner is not required to obtain any license from the Respondents, much less as required u/s 31 of the Karnataka Police Act. However, the Respondents have been insisting the Petitioner to obtain license and are also interfering with then lawful activities of the Petitioner, Hence, the Petitioner has approached this Court seeking the aforementioned direction.

4. Learned Counsel for the Petitioner placing reliance on the decision of this Court in W.P. No. 2865/2008 disposed of on 21.02.2008 which is subsequently followed in W.P. No. 36186/2010 disposed of on 22.11.2010 submits that this Court has already held that as long as lawful recreational activities are carried out by the Association concerned, there was no requirement of taking permission from the Police Department either u/s 31 of the Karnataka Police Act or under any other Licensing Order.

5. The learned Government Header also fairly submits that in similar matters, this Court has taken such a view and that the decision rendered in similar circumstance in the writ petitions referred to supra have attained finality.

6. In the light of the aforementioned decision, this writ petition deserves to be disposed of directing the Respondents-authorities not to insist upon the Petitioner to obtain license for carrying on lawful recreational activities.

7. Petition is accordingly disposed of in the above terms.

8. Learned Government Pleader is permitted to file memo of appearance within three weeks from today.