

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Wednesday, the Tenth day of February Two Thousand Twenty One

PRESENT

THE HON`BLE MR.JUSTICE SANJIB BANERJEE, CHIEF JUSTICE

and

THE HON`BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP.Nos.18022, 18029, 18044, 19374 & 19380 of 2020

1 JUNGLEE GAMES INDIA PRIVATE ...PETITIONER in WP No.18022 of 2020 LIMITED REPRESENTED BY ITS AUTHORIZED REPRESENTATIVE MR.RAHUL NANDKUMAR BHARDWAJ HAVING ITS REGISTERED OFFICE AT 5TH FLOOR TOWER A BUILDING 10 DLF PHASE 2, SECTOR 24 GURUGRAM, HARYANA 122022

2 RAHUL NANDKUMAR BHARDWAJ

1 PLAY GAMES 24 X 7 PRIVATE ... PETITIONER in WP No.18029 of 2020 LIMITED REPRESENTED BY ITS AUTHORIZED REPRESENTATIVE MR.MALAY KUMAR SHUKLA HAVING ITS REGISTERED OFFICE AT 5TH FLOOR CENTRAL WING (B) TOWER-4 NESCO IT PARK, NESCO CENTRE, WESTERN EXPRESS HIGHWAY, GOREGAON (E), MUMBAI-400 063.

2 BHAVIN PANDYA

1 HEAD DIGITAL WORKS PRIVATE ...PETITIONER in WP No.18044 of 2020 LIMITED (FORMERLY KNOWN AS HEAD INFOTECH INDIA PVT.LTD)REPRESENTED BY ITS AUTHORIZED REPRESENTATIVE MR.DEEPAK GULLAPALLI HAVING ITS REGISTERED OFFICE AT OFFICE NO.2, 1ST FLOOR, ASHI 19, ROUSE AVENUE, INSTITUTIONAL AREA NEWDELHI-110002.

HAVING ITS CORPORATE OFFICE AT 8TH FLOOR, ATRIA BLOCK, THE-V PLOT NO.17 SOFTWARE UNITS LAYOUT, MADHAPUR, HYDERABAD, TELANGANA -500 081

2 DEEPAK GULLAPALLI

1 GAMESKRAFT TECHNOLOGIES PVT... PETITIONER in WP No.19374 of 2020 LTD 1ST AND 2ND FLOOR IBIS HOTEL 26/1 HOSUR ROAD BOMMANAHALLI BANGALORE - 560068
REF BY ITS DIRECTOR MR.PRITHVI RAJ SINGH

2 PRITHVI RAJ SINGH
1ST AND 2ND FLOOR IBIS HOTEL 26/1 HOSUR
ROAD, BOMMANAHALLI, BANGALORE - 560068

1 GAMESKRAFT TECHNOLOGIES PVT... PETITIONER in WP No.19380 of 2020
LTD 1ST AND 2ND FLOOR, IBIS HOTEL 26/1
HOSUR ROAD BOMMANAHALLI BANGALORE - 560068
REP BY ITS DIRECTOR, MR.PRITHVI RAJ SINGH

2 PRITHVI RAJ SINGH
1ST AND 2ND FLOOR IBIS HOTEL 26/1 HOSUR
ROAD BOMMANAHALLI BANGALORE - 560068

Vs

1 STATE OF TAMIL NADU ... RESPONDENT in WP No.18022,18029/2020
THROUGH CHIEF SECRETARY 18044/2020
SECRETARIAT FORT ST.
GEORGE CHENNAI 600 001

2 STATE OF TAMILNADU
DEPARTMENT OF HOME THROUGH PRINCIPAL
SECRETARY SECRETARIAT FORT ST.GEORGE
CHENNAI 600001

3 STATE OF TAMILNADU
DEPARTMENT OF LAW THROUGH PRINCIPAL
SECRETARY SECRETARIAT FORT ST.GEORGE
CHENNAI 600 001

4 DIRECTOR GENERAL OF POLICE
STATE OF TAMILNADU OFFICE OF THE DIRECTOR
GENERAL KAMARAJAR SALAI CHENNAI 600 004

1 STATE OF TAMIL NADU ... RESPONDENT in WP No.19374, 19380/2020
THROUGH SECRETARY TO GOVERNMENT LAW
DEPARTMENT SECRETARIAT CHENNAI-09

2 COMMISSIONER OF POLICE FOR
CHENNAI GREATER CHENNAI POLICE NO.132
COMMISSIONER OFFICE BUILDING EVK SAMPATH RD
VEPERY, CHENNAI-600007

3 TAMIL NADU POLICE DEPARTMENT
THROUGH THE INSPECTOR GENERAL OF POLICE
ADMIN DR.RADHAKRISHNAN SALAI, MYLAPORE
CHENNAI-600004.

Writ Petition filed under article 226 of the Constitution of India praying for issue a writ in the nature of writ of certiorari or any other appropriate writ or order or direction

1 WP No.18022 of 2020

to call for the records of ordinance No.11 of 2020 dated November 21, 2020, published in Government Gazette No.484 and quash the same

2 WP No.18029 of 2020

to call for the records of ordinance No.11 of 2020 dated November 21, 2020, published in Government Gazette No.484 and quash the same

3 WP No.18044 of 2020

to call for the records of ordinance No.11 of 2020 dated November 21, 2020, published in Government Gazette No.484 and quash the same

4 WP No.19374 of 2020

Grant a writ of declaration, or any other appropriate writ / direction / order, declaring that section 3-A of the Tamil Nadu Gaming Act, 1930 (as introduced by the Tamil Nadu Ordinance No.11 of 2020) does not apply to the game of rummy including online rummy

5 WP No.19380 of 2020

Grant a writ of declaration, or any other appropriate writ / direction / order, declaring that section 3-A of the Tamil Nadu Gaming Act (as introduced by the Tamil Nadu Ordinance No.11 of 2020) is ultra vires, The Constitution of India

Order : This petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.SASHIDHAR SIVAKUMAR, Advocate for the petitioner in WP.No.18022, 18029, 18044/2020 and of M/S.ARUN KARTHIK MOHAN, Advocate for the petitioner in WP.No.19374, 19380/2020 the court made the following order:-

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

It is submitted by learned Advocate-General that the Ordinance that has been challenged is no longer relevant as a Bill has now been passed by the State Legislature and the same is awaiting the Governor's assent.

2. In the light of such subsequent event, leave is given to the petitioners to file a supplementary affidavit to challenge the Act after it receives the Governor's assent. Such supplementary affidavit should be filed within five days of the Governor's assent being obtained. The supplementary affidavit may include additional prayers.

3. The respondents will have ten days thereafter to file their counter-affidavits to the supplementary affidavit. It will be open to the petitioners to keep a rejoinder, if necessary, ready.

4. The matter will be listed at 2.15 pm on March 19, 2021.

-sd/-
10/02/2021

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE CHIEF SECRETARY,
GOVERNMENT OF TAMIL NADU, SECRETARIAT
FORT ST.GEORGE, CHENNAI 600 001

2 THE PRINCIPAL SECRETARY,
STATE OF TAMILNADU DEPARTMENT OF HOME,
SECRETARIAT, FORT ST.GEORGE, CHENNAI 600001

3 THE PRINCIPAL SECRETARY,
GOVERNMENT OF TAMILNADU
DEPARTMENT OF LAW, SECRETARIAT,
FORT ST.GEORGE, CHENNAI 600 001

4 DIRECTOR GENERAL OF POLICE
STATE OF TAMILNADU, OFFICE OF THE DIRECTOR
GENERAL, KAMARAJAR SALAI, CHENNAI 600 004.

5 THE SECRETARY TO GOVERNMENT
GOVERNMENT OF TAMIL NADU LAW
DEPARTMENT SECRETARIAT CHENNAI-09

6 COMMISSIONER OF POLICE FOR
CHENNAI GREATER CHENNAI POLICE NO.132
COMMISSIONER OFFICE BUILDING EVK SAMPATH RD
VEPERY, CHENNAI-600007

7 THE INSPECTOR GENERAL OF POLICE
TAMIL NADU POLICE DEPARTMENT
ADMIN DR.RADHAKRISHNAN SALAI, MYLAPORE
CHENNAI-600004.

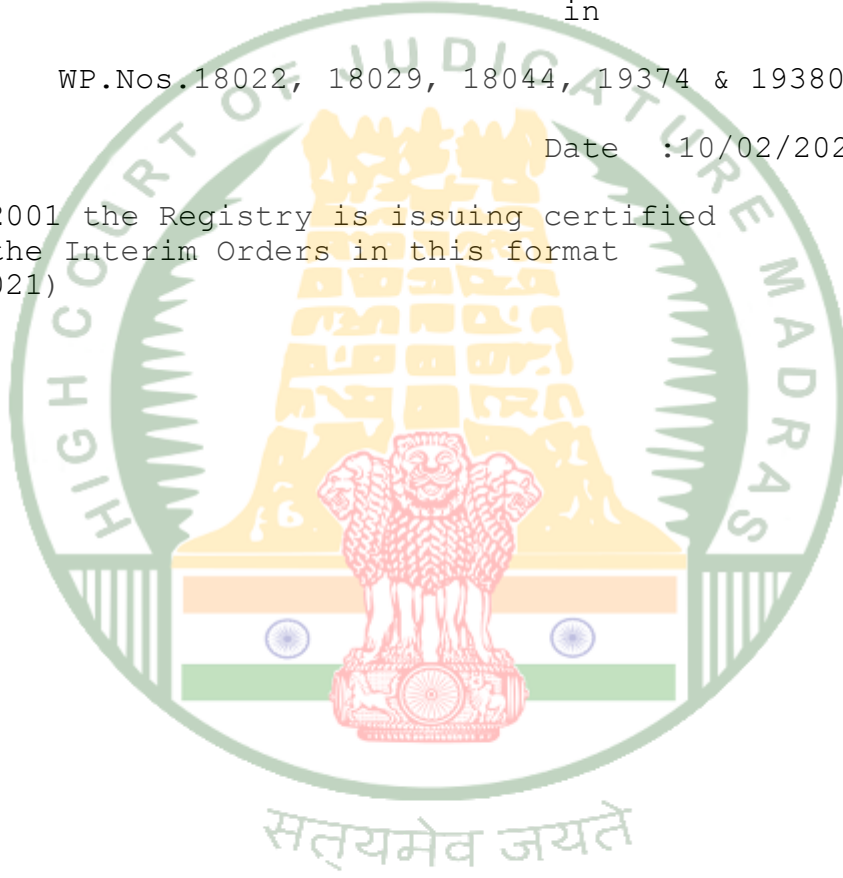
Order

in

WP.Nos.18022, 18029, 18044, 19374 & 19380 of 2020

Date :10/02/2021

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
KP(12/02/2021)



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