



W.P.Crl.No.203 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2026

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CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Crl.No.203 of 2026

K.Prabhu

... Petitioner

Vs.

1.The Superintendent of Police,
Panneer Selvam Park,
Erode District - 638 001.

2.The Deputy Superintendent of Police,
DSP Camp Office Perundurai,
Erode District - 638 052.

3.The Inspector of Police,
Kodumudi Police Station,
Erode District - 638 151.

... Respondents

Prayer: Writ petition(Crl.) filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st and 2nd respondents to consider the petitioner representation dated 07.01.2026 and consequently, direct the respondents 1, 2 and 3 not to interfere and to refrain from enter the Kings Park Recreation Club, without sufficient legitimate reasons

For Petitioner : Mr.K.Shyam Sunder

For Respondents

For R1 to 3 : Mr.R.Ganesh Kumar,
Counsel for Government
of Tamil Nadu (Criminal Side)



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ORDER

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This Writ Petition has been filed seeking a direction to the 1st and 2nd respondents to consider the petitioner's representation dated 07.01.2026, and to direct respondents 1, 2 and 3 not to interfere and to refrain from enter the Kings Park Recreation Club, without sufficient legitimate reasons

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. According to the petitioner, he is the President of Kings Park Recreation Club running at Thamarai Palayam, Erode District, which is registered under Tamil Nadu Societies Act, 1975. According to him, the club was created to improve the social cohesion and events are conducted without any cash payment. However, the respondents are causing hindrance to the peaceful and harmonious community in the club.

4. It is seen that the very same issue was already dealt with by this Court in WP.No.23323 of 2022 and the same was disposed of with certain observations by order dated 09.09.2022. Therefore, this Court is



of the view that the same observation can be made in this writ petition as well.

5. Accordingly, the following directions are issued:

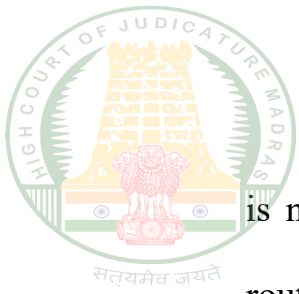
a) The petitioner's club shall not indulge in any illegal activity other than playing Rummy (13 cards) with stakes by its members and guests;

b) If there is any evidence of gambling in some other way, the respondents police have a right to enter the premises of the petitioner's club, inspect and take action as per law;

c) The respondents police are also advised not to disturb the petitioner's club frequently under the guise of inspection as it would disturb the peace harmony of the petitioner's club.

d) The petitioner's club and the members of the petitioner's club are entitled to carry on lawful activities within the premises and there should not be any interference from the police authorities, so long as their activities are not in violation of the provisions of the Public Gambling Act, 1867/Tamil Nadu Gaming Act, 1930;

e) In the normal circumstances, there should be no interference in the lawful functioning of the Clubs, by the Police. It



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is not permissible for the police to enter the Club premises as a routine measure, so long as the Clubs are functioning within the frame work of law;

f) If the police authorities have specific information or reasonable doubt that the activities carried on by the Club or its members are not in accordance with law or they indulge in unlawful activities, in violation of the provisions of the Public Gaming Act, 1867/Tamil Nadu Gaming Act, 1930 or any other enactment, it would be open to them, after recording reasons in the General Diary maintained in the Police Station, to proceed to enter the Club Premises, conduct investigation, interrogate those who involve themselves in such activities and take appropriate action on merits and as per law;

g) While exercising the powers conferred on the police authorities, they should follow the mandatory provision as contained in Section 5 of the Tamil Nadu Gaming Act, 1930/Public Gaming Act, 1867;

h) It is always open to the Club or its members to challenge the action taken by the police, if it is not in accordance with law;

i) In case the Police authorities are of the opinion that a situation has arisen to suspend the operation of the Club in exercise



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of the powers conferred, they have to issue an order in writing.

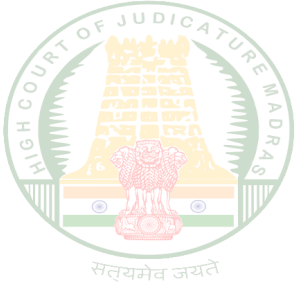
When there is no authority to the police to issue an order of suspension orally, they are not entitled to pass such oral orders; and

j) Before passing orders for the purpose of closure of the Club, in exercise of the powers conferred on the authorities, they should follow the principles of natural justice. The Club should be given an opportunity to submit their objections and if so desired, a further opportunity of personal hearing should also be given.

6. With the above directions, this writ petition is disposed of. No costs.

15.07.2026

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN. J.

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To

- 1.The Superintendent of Police,
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- 2.The Deputy Superintendent of Police,
DSP Camp Office Perundurai,
Erode District - 638 052.
- 3.The Inspector of Police,
Kodumudi Police Station,
Erode District - 638 151.
- 4.The Public Prosecutor,
High Court of Madras

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