



W.P.Crl.(MD)No.1117 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.02.2026

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.Crl.(MD).No.1117 of 2026

and

W.M.P.Crl.(MD)No.293 of 2026

Sivalingam Sports and Recreation Club,
Rep, by its Secretary,
P.Jeyaram.

... Petitioner

Vs

1. The State of Tamilnadu, Rep. By
The Superintendent of Police,
Dindigul, Dindigul District.

2. The Inspector of Police, Odd,
Oddanthatram Police Station,
Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the second respondent herein from interfering with the lawful day to day activities of our association, namely, Sivalingam Sports and Recreation Club without following the due process of law based on his representation dated 05.02.2026.

For Petitioner : Mr.C.Susikumar

For R-1 & R-2 : Mr.A.S.Abul Kalaam Azad
Government Advocate (Crl.side)



W.P.Crl.(MD)No.1117 of 2026

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ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, forbearing the second respondent from interfering with the lawful day-to-day activities of the petitioner's association, namely, Sivalingam Sports and Recreation Club, without following due process of law, based on the representation dated 05.02.2026.

2. It is the case of the petitioner that he is running a recreation club, where their members play Kabadi, Tennis, Basket Ball, Volly Ball and other indoor games and that the police are very frequently interfering and harassing them. Therefore, the petitioner has filed the present writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner submitted that Section 3 of the City Police Act, 1888 defines "the Common Gaming House". Section 45 of City Police Act prescribes the punishment for using a place as a "Common Gaming House". A reading of both the provisions show that in a place, where game is played on wager or bet, the police have got right to



W.P.Crl.(MD)No.1117 of 2026

interfere and prosecute the persons, who run the place, under Section 45 of the City Police Act. In this case, the petitioner is running a recreation club for its members, wherein according to the petitioner, game of Kabadi, Tennis, Basket Ball, Volly Ball and other indoor games are played without stakes.

4. However, the learned Government Advocate (Criminal side), on instructions, submitted that the police are not causing any disturbance to the activities of the petitioner.

5. The submission of the learned Government Advocate (Criminal side) is recorded. It is also seen that a Division Bench of this Court in the case of the ***Director General of Police, State of Tamil Nadu, Mahalakshmi Cultural Association*** reported in ***2012(2) CTC 484*** has gone into this aspect of recreation club permitting the recreation club to play rummy without stakes and held as follows :

"24. On the basis of the above discussions, we arrive at the following conclusions:

(1) The game of rummy (13 card) is only a game of skill even though an element of chance is also involved.

(2) In the event rummy is played by the members or the guests



without stakes, the provisions of the Chennai City Police Act are not attracted.

(3) In the event rummy is played by the members of the guests with stakes, the provisions of the Chennai City Police Act are attracted.

(4) In the event the Club/Association either allows its members or guests to play rummy with stakes or make any profit or gain out of such gambling, the police has the authority to invoke the provisions of the Chennai City Police Act.

(5) In order to ascertain as to whether the premises is used as a gaming house for gambling, the police is entitles to invoke Section 23 of the Act."

6. In view of the above, this Court directs that

(i) the petitioner Club shall not indulge in any activity by allowing its members or the guests to play rummy (13 cards) with stakes and make profit or gain.

(ii) the police are entitled to take action in the event of any illegal activity is carried on in the Club premises.

(iii) the police shall not disturb the petitioner-Club frequently under the guise of inspection without there being any reliable information as to the illegal activities of the Club or its members or the guests.



W.P.Crl.(MD)No.1117 of 2026

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

Consequently, connected miscellaneous petition is closed.

26.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

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To

1. The Superintendent of Police,
Dindigul, Dindigul District.
2. The Inspector of Police, Odd,
Oddanthatram Police Station,
Dindigul District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P.Crl.(MD)No.1117 of 2026

S.SRIMATHY, J.

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W.P.Crl.(MD).No.1117 of 2026

26.02.2026