

W.P.Crl.(MD)No.2957 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : **05.06.2026**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.Crl.(MD)No.2957 of 2026

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... Petitioner

Vs.

1. The Superintendent of Police,
O/o. the Superintendent of Police,
Thoothukudi District.

2. The Deputy Superintendent Of Police,
Sri Vaikundam Taluk,
Thoothukudi District.

3. The Inspector of Police,
Eral Police Station,
Thoothukudi District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the respondents from in any manner interfering with the affairs of the petitioner's club, viz., S.P.S. Recreation Club, Thoothukudi, SRG/Tuticorin/26/2026 at 5/104/3, Amman Koil Street, Siruthondanallur, Eral Taluk, Thoothukkudi District – 628 802, at its members including the facilities provided for playing various games including the game of playing rummy not involving any element of gambling.



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For Petitioner : Mr.C.S.Saravanan

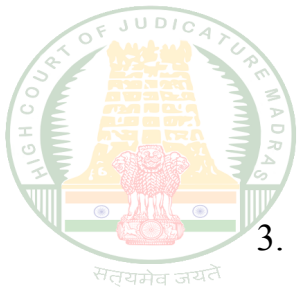
For Respondents : Mr.P.Vetrivel

Counsel for State of TN (Crl.Side)

ORDER

This petition has been filed seeking a direction to forbear the respondents from interfering in any manner with the affairs of the petitioner's club, viz., S.P.S. Recreation Club, Thoothukudi, SRG/Tuticorin/26/2026, situated at 5/104/3, Amman Koil Street, Siruthondanallur, Eral Taluk, Thoothukudi District – 628 802, including its members and the facilities provided for playing various games, including rummy without any element of gambling.

2. The learned counsel for the petitioner submitted that the petitioner club is being subjected to continuous harassment and that the respondent police are interfering with the peaceful conduct of its activities. It was further submitted that such interference is unwarranted and that the respondents ought to be restrained from interfering with the peaceful functioning of the club, particularly with regard to the playing of rummy without money. Accordingly, the present writ petition has been filed. In support of his contention, he also relied upon an order of this Court dated WP CRL.(MD)No.2459 of 2025 dated 09.12.2025.



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3. The learned Government Advocate appearing for the respondent police submitted that the contention of the learned counsel for the petitioner is wholly baseless and that the third respondent police has not interfered with the affairs of the petitioner club. It was further submitted that the petitioner had already given a statement before the respondent police on 03.06.2026 to the effect that no harassment was faced by the petitioner club at the hands of the third respondent police.

4. Heard the learned counsel on either side and carefully perused the materials before this Court.

5. This Court, in WP CRL.(MD)No.2459 of 2025 dated 09.12.2025, held as follows:-

"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 report 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



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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 entitled to invoke Section 23 of the Act."

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

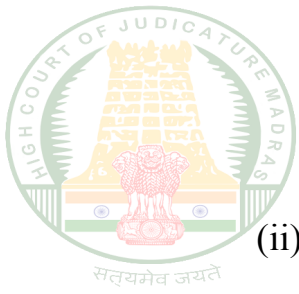
(i) the petitioner Club shall not indulge in any activity by allowing its members or the guests to play rummy (13 cards) with stakes and make profit or gain.

(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."

5. In view of the submissions made by the learned Government Advocate appearing for the respondent police, this Court imposes the following conditions:

(i) The petitioner club is permitted to conduct rummy games without stakes within its premises, and the respondent shall not interfere with the affairs of the club;



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(ii) 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;

(iii) However, it is made clear that if the petitioner indulges in any illegal activities, more particularly playing card games with stakes, the police are at liberty to take appropriate action in accordance with law if any such illegal activity is carried on in the club premises;

(iv) 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.

6. This writ petition is disposed with the above directions.

05.06.2026

NCC : Yes / No

Index : Yes / No

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TO:-

1. The Superintendent of Police,
O/o. the Superintendent of Police, Thoothukudi District.
2. The Deputy Superintendent Of Police,
Sri Vaikundam Taluk, Thoothukudi District.
3. The Inspector of Police,
Eral Police Station, Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L.VICTORIA GOWRI, J.

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Order made in
W.P.Crl.(MD)No.2957 of 2026

Dated
05.06.2026