



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

WP CrI. No. 1229 of 2025
WPMP CrI.No.589 of 2025

Sheik Subhani Alias Sheik Syed Subhani
S/o.Sheik Nazar,
4/1, MTH Road,
Padi, Chennai - 50.

..Petitioner(s)

Vs

1. The Commissioner of Police,
Office of the Commissioner,
Avadi.
2. The Join Commissioner of Police (West)
Ambattur Range, SIDCO Industrial Buildings,
Ambattur, Chennai.
3. The Deputy Commissioner of Police
Ambattur Police District, Milk Colony,
Chennai.
4. The Assistant Commissioner of Police
Ambattur, Chennai.
5. The Inspector of Police (Law and Order)
T3, Police Station,
Korattur, Chennai.
6. Tahsildar
Ambattur,
Chennai.
7. Revenue Divisional Officer
Ambattur,
Chennai.



8. Village Administrative Officer,
Venkatraman Nagar,
Korattur, Chennai.
Tamil Nadu - 600 080.

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..Respondent(s)

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, seeking to Issue a Writ of Mandamus, forbearing the Respondents from interfering with the Petitioner's lawful enjoyment of property without due process of law and consequently directing the Respondents, particularly Respondent No.5 to 8, to forthwith remove the illegal lock and seal affixed at the Petitioners premises situated at No.4/1, M.T.H. Road, Padi, Chennai - 600050.

For Petitioner(s): Mr.R.Rajesh Kumar

For Respondent(s): Mr.R.Ganesh Kumar
Government Advocate (Criminal Side)

ORDER

The Writ Petition has been filed seeking to issue a Writ of Mandamus, forbearing the Respondents from interfering with the Petitioner's lawful enjoyment of property without due process of law and consequently directing the Respondents, particularly Respondent No.5 to 8, to forthwith remove the illegal lock and seal affixed at the Petitioners premises situated at No.4/1, M.T.H. Road, Padi, Chennai - 600050.

2.The petitioner is the registered recreation club under the Tamil Nadu



Societies Registration Act, 1975. While being so, respondents 5, 7 and 8 entered the petitioner's premises and confiscated Rs.72,500/- and sealed the premises under Sections 7 to 9 of the Tamil Nadu Gaming Act, 1930. The learned counsel for the petitioner submits that the provisions under Section 7 to 9 of the Tamil Nadu Gaming Act, 1930, do not provide any power to the respondents 5, 7 and 8 to seal the premises. They habituated to seal the premises more often and every time they seal the premises, the petitioner approached this Court and obtain orders to de-seal it. On 20.03.2025, in W.P.No.6639 of 2025, this Court passed a detailed order stating that the Revenue Authorities have no jurisdiction of power to seal the premises. Even assuming that the club is running games with style and stakes, since the Act does not provide any provision to seal the premises. Further, there is no provision to issue licence to run the recreation club. The recreation club shall have to be registered under the provisions of the Societies Registration Act, 1960. After registration of F.I.R, on 17.09.2025 in Crime No.818 of 2025 for the offence under Sections 7 to 9 of the Tamil Nadu Gaming Act, 1930 and the Investigation is pending on the file of the 5th respondent, the 5th respondent requested the Revenue Authorities to seal the premises.

3.On a perusal of the counter and submissions made by the learned counsel for the petitioner and the learned Government Advocate (CrI. Side), it reveals that on receipt of credible information, a raid was conducted on



17.09.2025 in the petitioner's club and the investigating agency have secured playing cards, gambling tokens, cash, members attendance register and cigarette packets. The petitioner's club have committed the offence under Sections 7 to 9 of the Tamil Nadu Gaming Act, 1930. The petitioner's club was registered under the Tamil Nadu Societies Registration Act, 1975, and its object is offering facilities for indoor games such as table tennis, carom, chess and cards, without resorting to gamble as well as out door games such as tennis, cricket and badminton. However, contrary to the said objectives, the petitioner's club is conducting games with play cards involving cash. It is relevant to extract the provisions under Section 7 to 9 of the Tamil Nadu Gaming Act, 1930;

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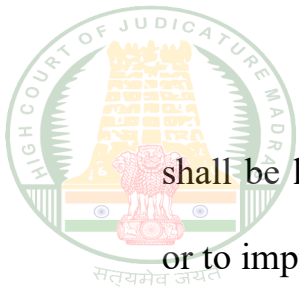
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7.Proof of playing for stakes unnecessary

- It shall not be necessary, in order to convict any person of keeping a common gaming – house or of being concerned in the management of any common gaming – house, to prove that any person found playing at any game was playing for any money, wager, bet or stake.

8.Penalty for opening, etc., a common gaming – house

- Whoever opens, keeps or uses, or permits to be used any common gaming – house, or conducts or assists in conducting the business of any common gaming-house or advances or furnishes, money for gaming therein,



shall be liable on conviction to fine house, not exceeding five hundred rupees, or to imprisonment not exceeding three months, or to both.

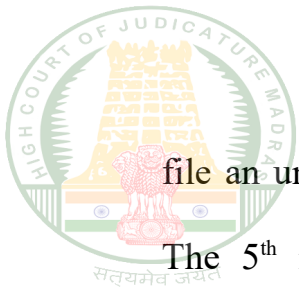
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9. Penalty for being found gaming in common gaming – house

- Whoever is found gaming or present for the purpose of gaming in a common gaming-house shall, on conviction, be liable to fine not exceeding two hundred rupees or to, imprisonment not exceeding one month; and any person found in any common gaming-house during any gaming or playing therein shall be presumed, until the contrary be proved, to have been there for the purpose of gaming.

4. Thus, It is clear that respondents 5, 7 & 8 have no jurisdiction and no competence to seal the premises of the petitioner. Further, though they repeatedly indulge in committing offences under the Tamil Nadu Gaming Act, 1930, the respondents can very well take appropriate action without sealing the premises. That apart, they can even take steps to cancel the Registration of the petitioner's club under the Tamil Nadu Societies Registration Act, 1975.

5. In view of the above, respondents 6 and 7 are hereby directed to de-seal the petitioner's premises forthwith, subject to the condition that the petitioner or his lessee shall not indulge in any illegal activities in the name and style of Sheshadri Recreation Club with its members. The petitioner and his lessee shall



file an undertaking affidavit to that extent before the 5th respondent forthwith.

The 5th respondent is at liberty to take appropriate action as against the petitioner, if the petitioner or his lessee indulges in same sort of illegal activities in accordance with law.

6.The Writ Petition stands allowed accordingly. No costs. Consequently, WPMP No.589 of 2025 is closed.

02-06-2026

Index: Yes/No

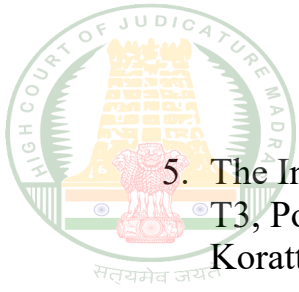
Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

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G.K.ILANTHIRAIYAN, J.

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