

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.11058 of 2015

and

M.P.No.1 of 2015

G.Kalpana

.. Petitioner

Vs.

1. The Commissioner of Police,
Egmore, Chennai - 7.

2. The Inspector of Police,
F-2 Egmore Police Station,
Egmore, Chennai - 7.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents or their men, agents not to interfere with the peaceful conduct of business in the "V-3 BEAUTY CARE AND SPA" at Hotel Fortel, No.3, Gandhi Irwin Road, Egmore, Chennai - 600 008.

For Petitioner : Mr.K.Dharmaraj

For Respondents : Mrs.P.Rajalakshmi,
Government Advocate

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O R D E R

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner claims that she is carrying on business in the name and style of "V-3 BEAUTY CARE AND SPA" at Hotel Fortel, No.3, Gandhi Irwin Road, Egmore, Chennai - 600 008, for the past six months without any room for complaint and by employing the

services of qualified and trained therapist, Ayurvedic massage is also given. The petitioner would further state that she has also issued with licence for carrying on business and the complaint that the illegal activities are going on in the business run by her, is not at all true and since her business is being interfered with by the second respondent police, she has submitted a representation dated 20.06.2013 to the first respondent, copy marked to the second respondent not to interfere with the business activities and in spite of receipt of the same, harassment continues and hence, she came forward to file this writ petition.

3. Mr.K.Dharmaraj, learned counsel appearing for the petitioner has drawn the attention of this Court to the order dated 03.02.2015 made in W.P.No.2429 of 2015 and M.P.No.1 of 2015 and would submit that the said writ petition was disposed of following the judgment of this Court reported in (2015) 1 MLJ 308 [Masti Health and Beauty Private Limited V. Commissioner of Police] and this petitioner is also entitled for the similar relief.

4. Per contra, Mrs.P.Rajalakshmi, learned Government Advocate, who accepts notice for the respondents, would submit that the petitioner, under the guise of massage treatment, indulged in illegal activities and that is why, the second respondent has conducted a surprise visit.

5. This Court has carefully considered the rival submissions made by the learned counsel on either side and perused the records.

6. Though the petitioner has prayed for the larger relief, this Court is of the view that it would suffice to direct the respondents to consider and dispose of the representation dated 20.06.2013 submitted by the petitioner in accordance with the judgment reported by this Court in (2015) 1 MLJ 308 [Masti Health and Beauty Private Limited V. Commissioner of Police] within a stipulated time.

7. In the result, the writ petition is disposed of and the respondents are directed to consider the representation dated 20.06.2013 submitted by the petitioner, taking into consideration the guidelines in paragraph No.67 of the judgment reported in (2015) 1 MLJ 308 [Masti Health and Beauty Private Limited V. Commissioner of Police], in which, the first respondent himself is a party and pass orders on merits and in accordance with law, as

expeditiously as possible, not later than two weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

Jrl

To

1. The Commissioner of Police,
Egmore, Chennai - 7.
2. The Inspector of Police,
F-2 Egmore Police Station,
Egmore, Chennai - 7.

1 cc to M/s. K. Dharmaraj, Advocate, sr. 20849
1 cc to Government Pleader, Sr. 21078

W.P.No.11058 of 2015

RSK (CO)
kk 29/4

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