

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.27054/2016 & WMP.No.23235/2016

***V. Vasanthi**

.. Petitioner

Vs.

1.The Commissioner of Police
Vepery, Chennai 600 007.

2.The Inspector of Police
R9, Ramapuram Police Station
Ramapuram, Chennai 600089. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus forbearing the respondents or their, men, agents from interfering with the peaceful conduct of business, i.e, cross massage, in the name and style of "Raja Rani Best Family Saloon and Spa" at No.3/59, Valluvar Salai, Ramapuram, Chennai 600089.

For Petitioner : Mr.M.K.Bhoopathy Rajan

For R1 & R2 : Mr.R.S.Selvam, GA

ORDER

Today, when the matter was taken up for hearing, the learned Government Advocate submitted that the petitioner's ***Shop** address comes under the jurisdiction of R11, Royala Nagar Police Station and not under R9, Ramapuram Police Station. It is his further submission that upon investigation by the Inspector of Police, R11, Royala Nagar Police Station, with the landlord of the petitioner, viz., Mr.R.Krishnamoorthy, the fact revealed that though the landlord received an advance from the petitioner for running a Salon and Spa in the said address, till date, the petitioner has not opened the said shop and the shop is vacant as on date. He has also produced the communication sent by the Inspector of Police, R11, Royala Nagar Police Station, Chennai-89, to the learned Government Advocate along with the photographs annexed, showing that the said shop is closed and is not being run by the petitioner under the name and style of "Raja Rani Best Family Saloon and Spa".

2 As evidenced from the said communication of the Inspector of Police, R11, Royala Nagar Police Station, Chennai-89 and as evidenced from the photographs annexed, it is seen that the shop in question is being kept closed by the petitioner and that she is trying to get an order from this Court, without even running a Salon and Spa. It is also further seen that the petitioner has impleaded a wrong police station instead of R11, Royala Nagar Police Station, Chennai-89.

3 Hence, this writ petition is dismissed, with a cost of Rs.20,000/- [Rupees Twenty thousand only] to be paid by the petitioner to the TAMILNADU MEDIATION AND CONCILIATION CENTRE, HIGH COURT, CHENNAI-600 104 on or before 07.11.2016.

4 It is made clear that if the petitioner fails to pay the cost within the time stipulated by this Court, the Inspector of Police attached to R11, Royala Nagar Police Station, Chennai-89 is directed to produce the petitioner before this Court on 07.11.2016. Consequently, the connected miscellaneous petition is also dismissed.

5 Post on 07.11.2016 for reporting compliance.

26.10.2016

For being mentioned

This matter having been listed on Thursday the 17th day of November 2016 for being mentioned in pursuance of the order of the court dated 26.10.016 in the presence of M/s.M.K. Bhoopahy Rajan, Advocate for the petitioner and of Mr.R.S. Selvam, Government Advocate on behalf of the Respondent the Court made the following order.

This writ petition has been posted today under the caption "for being mentioned".

2.The learned counsel for the petitioner submitted that the name of the petitioner in the writ petition has been wrongly spelt as "V.Vasanth" instead of "V.Vasanthi" in the final order passed by this Court in this writ petition on 26.10.2016. Further it has been stated that instead of stating the petitioner's 'shop' address, it has been typed as 'residential' address, in the second line of the order. Stating so, the learned counsel for the petitioner prayed that necessary corrections be made in the order accordingly.

3.An affidavit was also filed tendering unconditional apology as they are unable to pay the cost of Rs.20,000/- imposed by this Court, and seeks for pardon from the Court. The petitioner is also present before this Court. She also undertook before this Court that they will not run the business without getting proper license.

4. With regard to the typographical errors found in the order, Registry is directed to carry out necessary corrections as stated above, and issue fresh order copies. Further, in view of tendering unconditional apology, the cost of Rs.20,000/- already imposed is withdrawn.

Sd/-

Assistant Registrar(CS IV)

Dated: 2.11.2016

*Corrected as per the
order dated 17.11.2016
in W.P.No.27054/16

Sd/

Assistant Registrar

Dated: 28.11.2016

//True Copy//

Sub Assistant Registrar

AP

To

1. The Commissioner of Police
Vepery, Chennai 600 007.

2. The Inspector of Police
R9, Ramapuram Police Station
Ramapuram, Chennai 600089.

3 The Secretary
Tamil Nadu Mediation and Conciliation Centre,
High Court, Chennai

4 The Section Officer,
Writ Section, High Court, Madras

5. The Inspector of Police
R-11 Royala Nagar Police station,
Chennai-89

To be substituted
to the order
already
despatched on
3.11.2016

+1 CC to Mr. M.K. Bhoopathy Rajan, Advocate Sr.No.61485

+1 CC to Govt., Pleader, Sr.No.67528

1 cc to Special Government Pleader, Sr. (Forests) Sr. 67548

WP.No.27054/2016

RV (CO)

MD : 2/11/2016

17.11.2016/ 26.10.2016

kk 29/11