IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2016

CORAM

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.No.32755/2016 & WMP.No.28331/2016

M.Chitra .. Petitioner

..Vs..

1.The Commissioner of Police
Office of the Commissioner of Police
Vepery, Chennai-7.

2.The Inspector of Police
T3 Korattur Police Station,
Korattur, Chennai 600 080. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 31.08.2016 within the time frame fixed by this Court.

For Petitioner : Mr.A.Jayaprakash
For Respondents: Mr.S.V.Durai Solaimalai, AGP

ORDER

Heard Mr.A.Jayaprakash, learned counsel for the petitioner and Mr.S.V.Durai Solaimalai, learned Additional Government Pleader accepting notice on behalf of the respondent and with the consent on either side, the writ petition is taken up for final disposal.

2 The petitioner claims to be running a Unisex Salon and Spa under the name "Glow and Glamour Beauty Parlour", in the first floor of the Housing Board Flat, viz., No.M2/3, TNHB Flats, 1st Floor, Korattur, Chennai-80. The petitioner's grievance is that the 2nd respondent police is is frequently visiting the premises of the petitioner and causing disturbance to the running of her business. If the petitioner is carrying on lawful business, there can be no apprehension of interference by the 2nd respondent police. But, however it appears that a complaint was given in the name of the petitioner to the 2nd respondent with a copy marked to the Commissioner of Police dated 31.08.2016 and on receipt of such complaint, the petitioner was called for an enquiry by the 2nd respondent and the Sub Inspector of Police attached to the 2nd respondent Police

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Station, who is present in Court today, confirms that the petitioner attended the enquiry and has given a written statement on 08.09.2016, disowning the complaint dated 31.08.2016. Furthermore, the learned Additional Government Pleader appearing for the respondents would submit that there is no interference by the 2nd respondent with the petitioner's business activities. However, it is pointed out that the license granted by the Corporation of Chennai has come to an end on 31.03.2016 and it appears that the petitioner is yet to apply for renewal. In any event, the petitioner cannot carry on such business without obtaining requisite license and the license can be granted to run the business in the premises which is authorised and it is not known as to how the petitioner could carry on such business in a residential flat constructed by Tamil Nadu Housing Board. This has to be gone into by the Corporation of Chennai.

3 Accordingly, the writ petition stands dismissed. No costs. However, the petitioner is granted fifteen [15] days time to obtain the renewal of license from the Corporation of Chennai and if the petitioner fails to do so, the 2nd respondent is at liberty to proceed in accordance with law. Consequently, the connected miscellaneous petition is also dismissed.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

To

1.The Commissioner of Police
Office of the Commissioner of Police
Vepery, Chennai-7.

2.The Inspector of Police
T3 Korattur Police Station,
Korattur, Chennai 600 080.

+1 cc to Mr.A.Jayaprakash,advocate,sr.53053

+1 cc to Govt.Pleader,sr.53510.

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