

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2016

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P.No.38207 of 2016

and

W.M.P.No.32755 of 2016

K.A.Leka

... Petitioner

-Vs-

1. The Commissioner of Police,
The Greater Chennai,
Vepery, Chennai.

2. The Inspector of Police,
Mangadu Police Station,
Chennai-600 125.

... Respondents

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, ie., cross massage in the name and style of "WELL NESS AYURVEDIC CENTRE & SPA" at Priyanka Homes, Mugalivakkam Main Road, Madanandapuram, Chennai-600 125.

For Petitioner : Mr.V.Veerapandian

For Respondents : Mr.R.S.Selvam,
Government Advocate

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus forbearing the respondents from interfering with the petitioner's peaceful conduct of business, ie., cross massage in the name and style of "WELL NESS AYURVEDIC CENTRE & SPA" at Mugalivakkam Main Road, Madanandapuram, Chennai-600 125.

2.When this writ petition came up before this Court on 02.11.2016, the learned Government Advocate took notice for the respondents, and he was directed to submit a report as to whether there is any Ayurvedic Centre in the address where the business is said to have been carried out. Today, the second respondent police submitted a report, in which it is stated that the Ayurvedic Centre said to have been running in the name and style of "WELL NESS AYURVEDIC CENTRE & SPA" is not in existence

and that no licence had been obtained for running such centre. It is also stated that no case has been filed in respect of the Ayurvedic Centre in the concerned Municipality, under which the petitioner's shop is coming.

3.If such be the case, it is not at all proper on the part of the petitioner to file this writ petition. It is seen that the shop is being kept closed by the petitioner and only to get an order from this Court, without even running a Salon and Spa, this writ petition has been filed.

4.Hence this writ petition is dismissed, with a cost of Rs.10,000/- (Rupees Ten Thousand Only) to be paid by the petitioner to the Tamil Nadu Mediation and Conciliation Centre, High Court, Chennai-600104 within a period of one week from the date of receipt of a copy of this order. It is made clear that if the petitioner fails to pay the cost within the time stipulated by this Court, the second respondent Police is directed to produce the petitioner before this Court. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

KM

To

1. The Commissioner of Police,
The Greater Chennai,
Vepery, Chennai.

2. The Inspector of Police,
Mangadu Police Station,
Chennai-600 125.

Copy To

The Co-ordinator,
Mediation and Conciliation Centre,
High Court, Madras.

W.P.No.38207 of 2016

and

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GJ II(CO)
CA(15/12/2016)