

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

Writ Petition No.918 of 2017

K.Arul Subha

... Petitioner

vs.

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

2. The Inspector of Police,
(Law and Order),
V5 Thirumangalam Police Station,
Thirumangalam, Chennai.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, forbearing the respondents from interfering with the peaceful conducting of business under the name and style of Pooja's Family Saloon and Spa at Door No.167/12, Jawahar Colony, 4th Avenue, Shanthi Colony, Anna Nagar West, Chennai.

For Petitioner : No appearance

For Respondents : Mr.S.V.Durai Solaimalai,
Additional Government Pleader

ORDER

The petitioner has come up with this Writ Petition seeking to forbear the respondents from interfering with the peaceful conduct of her business in the name and style of Pooja's Family Saloon and Spa at Door No.167/12, Jawahar Colony, 4th Avenue, Shanthi Colony, Anna Nagar West, Chennai.

2. According to the petitioner, she is running a Family Saloon and Spa in the above address after obtaining licence from the Corporation of Chennai. The grievance of the petitioner is that the 2nd respondent Police is often visiting her business premises to ensure whether any illegal activities are being carried out. Though the petitioner has informed the 2nd

respondent Police on many occasions that such activities are not being carried out in her premises, the 2nd respondent is continuing to interfere with her business. In this regard, the petitioner made a representation dated 22.12.2016 to the respondents through Registered Post. Pending consideration of the same, the petitioner is before this Court.

3. There is no representation for the petitioner. Heard the learned Additional Government Pleader appearing for the respondents.

4. Respondents have filed counter affidavit and a perusal of the same reveals that the petitioner was granted licence only for hair cutting saloon and that the licence does not cover Spa activities. It is further stated in the counter that on inspection, it was found that in the guise of hair cutting saloon, the petitioner is illegally running a Massage Parlour and has engaged several girls for massage purposes and that too without any valid licence or Certificates.

5. In such view of the matter, this Court is of the view that the petitioner is permitted to run only the Hair Cutting Saloon, for which licence is obtained and she is not authorised to run a Massage Parlour in the same premises, when there is no licence for it. It is made clear that the respondent Police is always at liberty to inspect the petitioner's premises, if they come to know that Spa activities are going on therein.

This Writ Petition is dismissed with the above observation. No costs. Consequently, connected W.M.P.No.902 of 2017 is closed.

s/d-

Assistant Registrar (CS-III)

//True Copy//

Sub-Assistant Registrar

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To:

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

WEB COPY

2. The Inspector of Police,
(Law and Order),
V5 Thirumangalam Police Station,
Thirumangalam, Chennai.

+1 CC to M/s. A. Rajesh Kanna, Advocate, sr 8029
+3 CCs to Govt. Pleader sr 8286

KJ (CO)
sp/28/2

W.P.No.918 of 2017



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