

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WRIT PETITION No.3642 of 2017

and WMP No.3677 of 2017

Jothichithra

... Petitioner

vs.

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

2. The Inspector of Police,
M.G.R. Nagar Police Station,
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 or their men, agents from interfering with the peaceful conduct of business, i.e. cross massage in the name and style of "Joo Spa Unisex Saloon & Ayurvedic Thai Spa" at Door No.55, Anna Highways, M.G.R. Nagar, Chennai 600 078.

For Petitioner : No representation

For Respondents : Mr.S.Rajeswaran,
Special Government Pleader

O R D E R

The petitioner has filed this Writ Petition seeking to forbear the respondents from interfering with the peaceful conduct of business, i.e. cross massage in the name and style of "Joo Spa Unisex Saloon & Ayurvedic Thai Spa" at Door No.55, Anna Highways, M.G.R.Nagar, Chennai 600 078.

2. According to the petitioner, she is carrying on Spa business in the name and style of "Joo Spa Unisex Saloon & Ayurvedic Thai Spa" in the above address for the past six months. The grievance of the petitioner is that the respondent Police are often inspecting her business premises to ensure whether any illegal activities are being carried out. Though the petitioner has informed the respondent police on many occasions that such activities are not being carried out in her premises, the respondent police are continuing to interfere with

her business. In this regard, the petitioner made a representation dated 16.12.2016 to the respondents. Pending consideration of the same, the petitioner is before this Court.

3. No representation for the petitioner. Heard the learned Special Government Pleader appearing for the respondents.

4. When the matter is taken up for hearing, learned Special Government Pleader, produced a Letter dated 27.02.2017 from the 2nd respondent and stated that the place where the petitioner is carrying on Spa business is located near M.G.R. Nagar Bus Stand, where School and College children gather in large numbers to board bus and hence, objected to carrying on Spa business by the petitioner in the present premises.

5. In such view of the matter, this Court is of the view that the petitioner cannot seek a blanket order from this Court to carry on Spa business without valid licence. Hence, this Writ Petition is dismissed. It is made clear that the respondent Police is always at liberty to inspect the petitioner's premises, if they come to know that illegal activities are going on therein. No costs. Consequently, connected W.M.P.No.3677 of 2017 is closed.

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Assistant Registrar

//True copy//

Sub Assistant Registrar

To:

1. The Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai.
2. The Inspector of Police,
M.G.R. Nagar Police Station,
Chennai.

C.C. to The Government Pleader SR.NO.13038/17

Order in
W.P.No.3642 of 2017

BR (CO)
VS 16.03.2017