

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.24137 of 2019
and
W.M.P.No.23930 of 2019

M.N.Rajani

...Petitioner

Vs

1.The Commissioner of Police,
Coimbatore,
Coimbatore District.

2.The Inspector of Police,
Singanallur Police Station,
Coimbatore District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue 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 "SRI SAI AYUR BEAUTY CARE HEALTH SPA" at No.9, West Street, Singanallur, Coimbatore-641 005.

For Petitioner : Mr.V.Saravanan

For Respondents: Mr.C.Iyyapparaj
Additional Public Prosecutor

O R D E R

The petitioner herein is running a Health Spa. Alleging that the respondents police have been disturbing the peaceful conduct of business of cross massage, the present Writ Petition is filed seeking for a direction in the nature of writ, forbearing the respondents from creating such interference.

2.In an identical situation, this Court, in the case of Masti Health and Beauty Private Limited Vs. Commissioner of Police, Chennai reported in 2015 1 MLJ 308, had passed certain guidelines on the conduct of such Health Parlours. This

decision has also been followed in various decisions of this Court including W.P.No.6463 of 2016 dated 24.06.2016. Following the decision and guidelines given in the aforesaid order, in the case of Masti Health and Beauty Private Limited (cited supra), the following orders are passed:-

(i) The respondents shall not, as a matter of routine and without any basis, conduct any raids and interfere with the business carried on by the petitioners;

(ii) In specific cases where the police have reasonable grounds to believe that an offence punishable under the Immoral Traffic (Prevention) Act has been or is being committed, it is open to the police to take action, after scrupulously following all the steps indicated in Section 15 of the said Act.

3. This Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

jas/ssr
To

1.The Commissioner of Police,
Coimbatore,
Coimbatore District.

2.The Inspector of Police,
Singanallur Police Station,
Coimbatore District.

+1cc to Mr.V.Saravanan, Advocate Sr.77976

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srg 23/10/2019