

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.25993 of 2019
and
W.M.P.No.25416 of 2019

C.Govindasamy

...Petitioner

Vs

State rep by its,

1.The Superintendent of Police,
Department of Superintendent of Police,
Thiruppur,
Thiruppur Distrit.

2.The Inspector of Police,
Oothukuli Police Station,
Thiruppur,
Thiurppur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, forbearing the respondents from interfering in any manner with business of the petitioner under the name and style of M/s.Hotel Sri Kumaran Mess, situated in N.H.47, Kovai-Salem Main Road, Near Indian Oil Petrol Bunk, Kasthuripalayam Post, Sengampalli, Thiruppur District.

For Petitioner : Mr.W.Camyles Gandhi

For Respondents: Mr.C.Iyyapparaj
Additional Public Prosecutor

O R D E R

It is the submission for the learned Counsel for the petitioner that though he had been strictly complying with the conditions for running a hotel premises, the 2nd respondent herein has been interfering with the business of running the hotel by visiting the business place often.

2.The learned Additional Public Prosecutor, on instructions, submitted that the petitioner is involved in a Criminal case in Crime No.284 of 2018 and in connection with the investigation,

the 2nd respondent had visited the premises. It is needless to point out that the 2nd respondent is of the view that an interrogation is required with the petitioner in connection with the investigation in Crime No.284 of 2018, It is always open to him to issue appropriate summons calling the petitioner herein to appear for the interrogation and since the petitioner faces certain inconvenience if the police enter the business premises during working hours, the issuance of summons for interrogation would avoid such embarrassment to the petitioner. The 2nd respondent shall also be refrained from entering the business premises during working hours in connection with interrogation in Crime No.284 of 2018. No prejudice will be caused to the 2nd respondent also, if the interrogation is held in the police station. Since the accused is involved in certain criminal offence in Crime No.284 of 2018, he shall also co-operate during the course of such investigation and respond to any summons issued.

3. With these observations, this writ petition stands disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar (CO)

True Copy

Sub-Assistant Registrar

jas/ssr
To

1. The Superintendent of Police,
Department of Superintendent of Police,
Thiruppur,
Thiruppur District.

2. The Inspector of Police,
Oothukuli Police Station,
Thiruppur,
Thiruppur District.

3. The Public Prosecutor,
High Court of Madras.

+1 CC to Mr. W. Camyles Gandhi, Advocate sr 78823.

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BS (CO)
SP(03/10/2019)