

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.14715 of 2019 and

W.M.P. No.18285 of 2020

(Heard through VC)

P.Ganesh ... Petitioner

Vs

1.Commissioner of Police Office, ... Respondents  
Coimbatore City, Upplipalayam,  
Coimbatore - 641 018.

2.The Inspector of Police,  
C-2, Police Station, Race Course Road,  
Gopalapuram, Coimbatore,  
Tamil Nadu - 641 018

Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to forbear the respondents or their men, agents from interfering with the peaceful conduct of business i.e., cross massage in the name and style of M/s.Moonlight Saloon and Spa was situated at No.725-C, S.R.Complex, Avinashi Road, Coimbatore - 641 018.

For Petitioner : Mr.K.Annamma

For Respondents : Mr.V.Shanmugasundar, Spl.G.P

ORDER

The Writ Petition is filed for mandamus, forbearing the respondents, who are the Police, from interfering with the peaceful conduct of the business.

2. There was an amendment in the District Municipalities Act, as per which, the petitioners ought to have obtained licence, based on the 'No Objection Certificate' that would be issued by the Police Department.

3. The petitioner is running an Ayurvedic Massage Centre in the name and style of "M/s.MOONLIGHT SALOON AND SPA". Subsequent to the filing of the Writ Petition, the petitioner has obtained a licence issued by the Zonal Sanitary Officer,

Central Zone Coimbatore Corporation on 03.03.2020 in Licence No.57126366 under the Coimbatore City Municipal Corporation Act.

4. As the Act itself provides for the norms that are prescribed for running such an Ayurvedic Massage Centre or Spa and unless all those provisions are complied with, the Corporation would not have issued the licence, especially, when the matter is pending before this Court.

5. As the petitioner has produced the licence and also has produced the qualification certificate of the persons employed therein, the respondents cannot interfere in their regular running of the Spa. If there is any violation of Law and Order or other short comings brought to the notice of the Police authorities, it is open to them to take action in accordance with law. It is also brought to the notice of this Court that when the petitioner did not have valid licence, the Police authorities are said to have interfered with their business.

6. With the above direction, the Writ Petition is disposed of . No costs. Consequently, connected miscellaneous petition is closed.

-sd/-

Assistant Registrar (cs)

//True Copy//

Sub Assistant Registrar

srn

To

1.The Commissioner of Police Office,  
Coimbatore City, Upplipalayam,  
Coimbatore - 641 018.

2.The Inspector of Police,  
C-2, Police Station, Race Course Road,  
Gopalapuram, Coimbatore,  
Tamil Nadu - 641 018

+1 C.C.to M/S.K.ANNAMMA ,ADVOCATE SR.NO.40232

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KV (CO)

UMY (19/12/2020)

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