

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2020

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.15012 of 2020
and
W.M.P.No.18694 of 2020
(Heard through VC)

M/s.Crystal Beauty Parlour Family Saloon,
Rep. by its Proprietor,
Mrs.M.Packiam,
No.14, 2nd Cross Street, Jeya Nagar,
Near Bust Stand,
Vadavalli, Coimbatore. ..Petitioner

.Vs.

1. The State Rep. By
The Superintendent of Police,
Coimbatore District,
Coimbatore.
2. The Inspector of Police,
Vadavalli Police Station,
Coimbatore. ..Respondents

PRAYER: Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondents, their men, agents from interfering with the peaceful conduct of business i.e. Cross massage in the name and style "Crystal Beauty Parlour Family Saloon" at No.14, 2nd Cross Street, Jeya Nagar, Near Bust Stand, Vadavalli, Coimbatore.

For Petitioner : Mr.A.P.Sathyamoorthy

For Respondents: Mr.V.Shanmugasundar
Special Government Pleader

O R D E R

The petitioner has sought for a writ of mandamus forbearing the respondents, their men, agents from interfering with the peaceful conduct of business i.e. cross massage in the name and style of "Crystal Beauty Parlour Family Saloon" at No.14, 2nd Cross Street, Jeya Nagar, Near Bust Stand, Vadavalli, Coimbatore.

2. The complaint of the petitioner is that the police personnel enter the place of the business and embarrass the customers, who come for personalized services and the said visits are done by the police without any proper notice or intimation to the petitioner.

3. The learned Special Government Pleader, who took notice on behalf of the respondent, would invite the attention of this court to the Government Gazette Notification No.252 dated 16.07.2018, which has amended Schedule VI of the Chennai City Municipal Corporation Act, which requires certain conditions to be complied with by any Beauty Parlour, Spa or Massage Parlour. As per the said notification, separate licence for conducting massage/Spa shall be granted by the Corporation/District authority, imposing conditions for the regulation of such massage/Spa establishments. Police verification shall be part of the condition before granting licence and the other conditions also prescribed.

4. After filing of the writ petition, the petitioner has applied for the trade licence with the Coimbatore Corporation on 19.10.2020 by paying the Traders Licence fees. It is also stated that he has applied for a No Objection Certificate from the police authorities. Only after he obtains proper licence from the District authority, he can run the petition mentioned Beauty Parlour and Family Saloon. Till such time, the petitioner cannot run the Parlour without licence.

5. As the prayer is for a mandamus restraining the police officials from interfering with the peaceful conduct of the business, once the petitioner gets his valid licence, that may be displayed in the place of business and already the No Objection Certificate issued by the respondents, the question of interfering in the business will not arise. Therefore, it is made clear that the petitioner cannot run his Parlour before he obtains proper licence issued by the authorities. If the petitioner is having a valid licence with No Objection Certificate from the police, the respondents also cannot interfere with their business.

6. With the above directions, the writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(LA)

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Sub Assistant Registrar

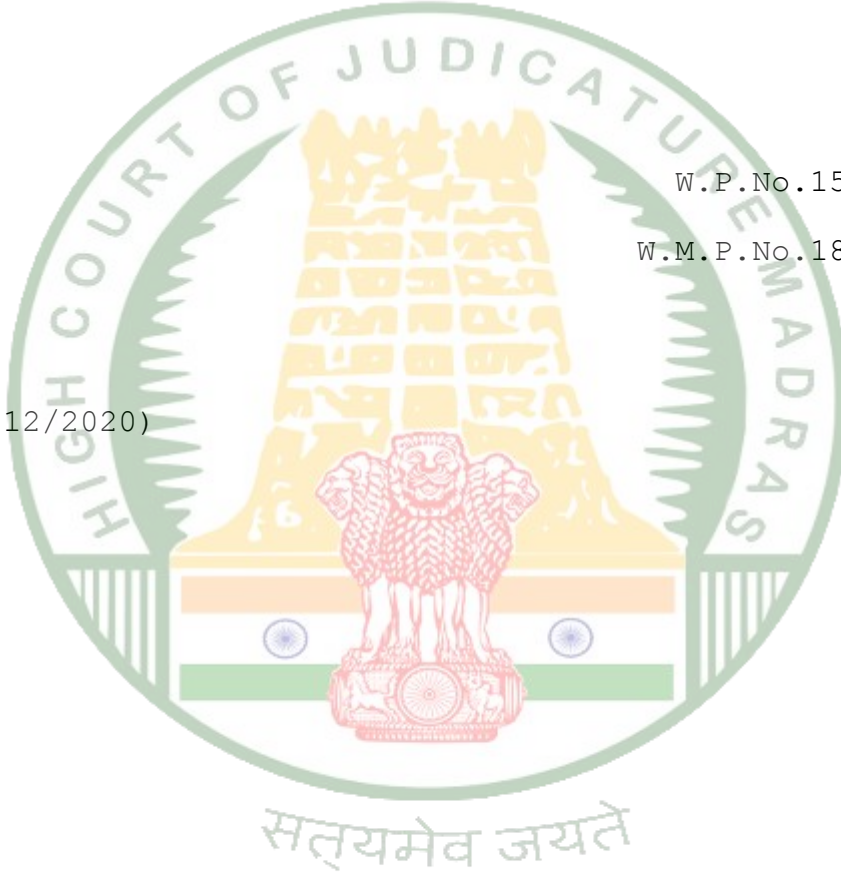
To

1. The Superintendent of Police,
Coimbatore District,
Coimbatore.
2. The Inspector of Police,
Vadavalli Police Station,
Coimbatore.

+1cc to Mr.B.Nambiselvan, Advocate, Sr.No.36778

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