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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. Nos.6578 and 6579 of 2021

S. Sankar Ganesh

... Petitioner in
both the writ petitions

Vs.

1. The Commissioner of Police,
Salem City Police, Salem District.

2. The Inspector of Police,
Fairlands police Station,
Salem District.

... Respondents in
both the writ petitions

W.P.No.6578 of 2021: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents from interfering in the petitioner's proprietary concern namely "Ojas Spa" at No.220, Kandhappan Nilayam, E.B. Colony-II, Alagapuram, Salem 636 004 in the light of the petitioner's representation dated 19.02.2021.

W.P.No.6579 of 2021: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents from interfering in the petitioner's proprietary concern namely "Ojas Spa" at No.12/192E, Thirunavukkarasu Street, LIC Colony, Advaita Ashram Road, Opp to New Bus Stand, Salem 636 004 in the light of the petitioner's representation dated 19.02.2021.

both the writ petitions

For Petitioner : Mr.K.S.Karthik Raja

For Respondents : Mr.G.Krishnaraja, Govt. Counsel

COMMON ORDER

Heard both sides and perused the materials placed before this court.



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2. According to the petitioner, after getting licence from the competent authorities, he is running two Ayurveda centres under the name and style of 'Ojas Spa' at No.220, Kandhappan Nilayam, E.B.Colony-II, Alagapuram, Salem - 636 004 and No.12/192E, Thirunavukkarasu Street, LIC colony, Advaita Ashram Road, Salem - 636 004, for providing therapeutic treatment to the customers utilising the services of qualified practitioners, besides doing cross massage following the pattern of treatment originated from Kerala. No illegal activities are doing in the centres. However, the respondent police are interfering with the petitioner's business activities, under the guise of conducting raid. Feeling aggrieved, the petitioner submitted separate representations dated 19.02.2021 requesting the respondents not to interfere with his business activities. Finding no response on the same, the present writ petitions have been filed seeking appropriate direction to the respondents in this regard.

3. Upon notice, the second respondent filed a counter affidavit, wherein, in paragraphs 4 and 5, it is stated as follows:

"4.I submit that the contents stated in para 6 of the affidavit are not true. It is not correct to state that the petitioner is facing threat at the hands of the respondent police.

5.I submit that the respondent do not have any objections to run the petitioner's Spa, however, in the event of any information regarding illegal activities taking place within the premises of " Ojas Spa", appropriate legal action will be initiated by following the due process of law"

4. In the light of the averments so made in the counter affidavit filed by the second respondent, this court is of the opinion that no further orders need to be passed in these writ petitions, except recording the same. Accordingly, the writ petitions stand disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

mst

To

1. The Commissioner of Police,
Salem City Police, Salem District.



2. The Inspector of Police,
Fairlands police Station,
Salem District.

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+1cc to Government Pleader SR.No.45832

W.P.Nos.6578 and 6579 of 2021

GP (CO)
GMY (27/10/2021)