



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2021

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THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.NO.18381 OF 2021

Naveed Ahmed

...Petitioner

Vs.

1. The Superintendent of Police,
District Police Office,
Tirupattur District - 635 601.

2. The Inspector of Police,
Ambur Town Police Station,
Tirupattur District - 635 601.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, Writ of Mandamus, directing first and second respondents not to harass the petitioner by forcing the petitioner to shut down petitioner's shop during the permitted time from Morning 6 'O' Clock to evening 9 'O' Clock and further permit the petitioner to sell the Non-Vegetarian food items in the premise of petitioner's shop in the above mentioned permitted time, by considering the petitioner's representations dated 01.07.2021, within the time stipulated by this Court deem fits and proper in the facts and circumstances of the present case.

For Petitioner : Mr.V.K.Yunus Mohammed

For Respondents : Mr.A.Damodaran,
Additional Public Prosecutor

O R D E R

This Writ Petition is filed to issue direction, directing first and second respondents not to harass the petitioner by forcing the petitioner to shut down petitioner's shop during the permitted time from Morning 6 'O' Clock to evening 9 'O' Clock and further permit the petitioner to sell the Non-Vegetarian food items in the premise of petitioner's shop in the above mentioned permitted time, by considering the petitioner's representations dated 01.07.2021, within the time stipulated by



this Court deem fits and proper in the facts and circumstances of the present case.

2.The petitioner is running a fresh chicken and mutton centre at Ambur, had initially lodged a complaint stating that the respondent police had not permitted the petitioner to carry on his business, though he had been following the pandemic standard operating procedure issued by the Government and other agencies. The second respondent had constantly harassed the petitioner. Hence, he had sent a representation to the first respondent i.e. the Superintendent of Police, District Police Office, Tirupattur District. Thereafter, the first respondent had forwarded the representation of the petitioner to the second respondent and enquiry has been conducted by the second respondent. Now the petitioner submitted that he shall abide by the Standard Operating Procedure and shall continue his business, within the prescribed time limit.

3.The learned Additional Public Prosecutor submits that the petitioner earlier had lodged a complaint and for the same, the second respondent is harassed the petitioner, since he was added up for the support of COVID-19 Pandemic situation. Later he had sent a representation to the first respondent and the first respondent had forwarded the same to the second respondent and the petitioner was called for enquiry.

4.He further submits that the petitioner appeared before the respondent police for enquiry and given an undertaking that he shall abide by the Standard Operating Procedure issued by the Government, following the same, he shall continue his business and he withdrawn the complaint filed by him.

5.Heard learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent Nos.1 and 2.

6.Recording the submission of the learned Additional Public Prosecutor, this Writ Petition stands closed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
District Police Office,
Tirupattur District - 635 601.
2. The Inspector of Police,
Ambur Town Police Station,
Tirupattur District - 635 601.
3. The Public Prosecutor,
High Court, Madras.

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NSK 20/10/2021