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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.NO.18509 OF 2021

Oasisspa Wellness Pvt. Limited.
Represented by its Director,
M.Thamarai Kannan,
No.217/2,Reddiyur Block No.1,
Kurinji Hospital Road, Reddiyur,
Alagapuram, Salem - 637 016.

... Petitioner

Versus

1. The State represented by its
Director General of Police,
Santhome,
Chennai - 600 004.

2. The Commissioner of Police,
Salem District,
Salem.

3. The Inspector of Police,
Alagapuram Police Station,
Salem.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents, their men, subordinates or any one acting on their behalf from in any manner interfering with nor disturb the petitioner's peaceful and lawful business of the OASISSPA WELLNESS Private Limited at No.217/2, Reddiyur Block No.1, Kurinji Hospital Road, Reddiyur, Alagapuram, Salem - 636 016 except by due process of law by considering the petitioner's representation dated 13.08.2021.

For Petitioner : Mr.N.Vijaya Basker

For Respondents : Mr.A.Damodaran,
Government Advocate (Cr1. Side)



ORDER

(This case has been heard through video conference)

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The petitioner has sent the representation on 13.08.2021 through post and now seeks not to disturb his Saloon and Spa Health Centre during the working hours.

2. The contention of the petitioner is that the petitioner along with his partner Mekala is running Oasisspa Wellness Private Limited, saloon and spa business at No.217/2, Reddiyur Block No.1, Kurinji Hospital Road, Reddiyur, Alagapuram, Salem - 636 016. This has been started in the year 2014 and got registered with the registration authorities. The petitioner has invested more than Rs.75,00,000/- for his business. He is carrying on various activities like hair cut and hair styling, hair fixing, ayurvedic massage, abdominal massage etc. including rectifying hormonal imbalances, bladder problems and other physical problems. The respondents 2 and 3 during the first week of July 2021, visited his Spa centre and conducted a search. According to the petitioner, the petitioner has got unblemished records and the respondent police not to visit him and cause harassment.

3. The learned Government Advocate (Criminal Side) appearing for respondents would submit that the activities mentioned by the petitioner in Para 2 is highly doubtful and under what qualification, the petitioner is carrying on such activities. The petitioner has to specify the same to the respondents. Further, whenever there is apprehension or any information about the misuse of place and to check whether any nefarious activities is carried out, the respondents' police is empowered to visit these centres, which cannot be termed as harassment. The 3rd respondent police had only carried out a routine check as per law and nothing more. This petitioner's allegation is unwarranted. The petitioner has to produce all the CCTV recordings and attendance of his employees, list and particulars of customers as and when called for.

4. Heard the submissions of both learned counsel for petitioner and respondent and perused the records.

5. In view of the above, this Court finds that visit of the respondents' police to the Spa centres, more particularly, when lot of cases now crop up that Spa centres are used for nefarious



activities. Hence, the respondents' police cannot be faulted with the same. Accordingly, this Writ Petition is disposed of. No costs.

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Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rpp/ham

To

1. The Director General of Police,
Santhome,
Chennai - 600 004.
2. The Commissioner of Police,
Salem District,
Salem.
3. The Inspector of Police,
Alagapuram Police Station,
Salem.
4. The Public Prosecutor,
High Court, Madras.

W.P.NO.18509 OF 2021

KSM(CO)
PBS/29/09/2021