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Contempt Petition No.1205 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.07.2021

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Contempt Petition No.1205 of 2020

M/s.Vinny Foods,
rep. by its Proprietor Jay Shah
No.16/1, Wallace Garden 2nd Street,
Thousand Lights,
Nungambakkam,
Chennai – 600 006.

.. Petitioner

Versus

1.Mahesh Kumar Aggarwal,
The Commissioner of Police,
No.132, EVK Sampath Road,
Vepery, Chennai-600 007.

2.Muthuvel Pandian,
The Assistant Commissioner of Police,
Greaves Road,
Nungambakkam Thousand Lights,
Chennai-600 006.

3.A.Stalin,
The Inspector of Police,
F-4 Police Station,
No.129, Greaves Road,
Thousand Lights,
Chennai-600 006.

.. Respondents

Prayer: Petition filed under Section 11 of Contempt of Court Act 1971 to issue notice to the respondents 1 to 3 herein and punish them for having committed an act of contempt of the order of this Court passed in W.M.P. No.18124 of 2018 in



W.P. No.15285 of 2018 dated 22.06.2018.

For Petitioner : Mr.B.Arvind Srevatsa

For Respondents : Mr.V.Manoharan,
Government Advocate

ORDER

This Court, by order dated 22.06.2018 in the above W.P. No.15285 of 2018 and W.M.P. No.18124 of 2018 enjoined the respondents from disturbing the business of the petitioner's restaurant and granted them liberty to conduct enquiry, after issuing proper notice, if they wanted to undertake any inspection.

2.Complaining the respondents that they are frequently visiting the petitioner's restaurant in the guise of surprise inspection by disturbing their business, the petitioner has filed this Contempt Petition.

3.Learned counsel for the petitioner submitted that two Security Guards have been posted in the petitioner's restaurant to ensure that no person below the age of 21 years is allowed to come into the entrance of the restaurant so as to prevent the children from falling prey of un-wanted tobacco related substances. Therefore, the question of allowing the persons below the age of 21 is un-acceptable and far beyond any imagination. If the respondents are following the directions issued by the Hon'ble Apex Court, the petitioner would not venture to make any complaint.

4.At this stage, learned Government Advocate appearing for the respondents

<https://hcservices.ecourts.gov.in/hcservices/> submitted that as alleged by the petitioner, the respondent police are not disturbing



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the business of the petitioner's restaurant. Since liberty is given to the respondent police to undertake surprise inspection to see as to whether any children are falling prey to the tobacco related substances, which are being sold at the petitioner's restaurant, surprise inspection has been taken that cannot be mis-understood by the petitioner.

5.It is made clear that in the name of surprise inspection, the respondent police cannot violate the law. With this observation, this contempt petition is disposed of.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

vga

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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GS/26/07/2021