



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2022

CORAM:

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.15636 of 2022
and W.M.P.No.14859 of 2022

M/s.Ever Day Beauty Parlour and Spa
Rep. its Proprietor M Joseph Thomas
S/o. Michael

... Petitioner

Vs.

1.The State of Tamil Nadu
Rep. by its Secretary to Government
Home Department
Fort St. George
Chennai 600 009

2.The Assistant Commissioner of Police
Anuperpalayam Range Office
Anuperpalayam Police Station 1st floor
Anuperpalayam
Tiruppur

3.The Inspector of Police
Thirumurugan Poondi Police Station
Thirumurugan Poondi
Tiruppur

... Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 2 and 3 or their men, agents or any persons claiming under them from interfering with the peaceful conduct of petitioner's business in the name and style of 'Ever Day Beauty Parlour and Spa' at Door No.2, J.S.Hosiery Park, Anaipudur, Avinash Main Road, Thirumuruganpoondi, Tirupur, Tiruppur City and District-641652.

For Petitioner : Mr.G.V.Sridharan

For Respondents: Mr.A.Gokulakrishnan
Additional Public Prosecutor



ORDER

The Writ Petition is filed seeking for a direction, the respondents 2 and 3 or their men, agents or any persons claiming under them from interfering with the peaceful conduct of petitioner's business in the name and style of 'Ever Day Beauty Parlour and Spa' at Door No.2, J.S.Hosiery Park, Anaipudur, Avinash Main Road, Thirumuruganpoondi, Tirupur, Tiruppur City and District-641652.

2.It is the contention of the learned counsel for the petitioner that the petitioner is carrying on business i.e. Spa and provides cross massage in the name and style of 'Ever Day Beauty Parlour and Spa' situated at Door No.2, J.S.Hosiery Park, Anaipudur, Avinashi Main Road, Thirumuruganpoondi, Tirupur, Tiruppur City & District-641652 without giving room to any sort of complaint or whatsoever. He added that the petitioner's Salon and Spa is assessed to Trade Licence. The business is carried on strictly adhering to the laws of the land providing hair cut and massage therapies and no prejudicial activities to the interest of the public or violating the law or any immoral activities are carried on in the center and absolutely there were no complaints or whatsoever in this regard from any public. When that being the case, the respondent police herein are often interfering with the regular business of the petitioner. Accordingly seeks for a direction of this Court to direct the respondent police not to interfere with the business carried on by the petitioner.

3.This Court is of the view that such a blanket direction cannot be issued. If the petitioner is running only a therapeutic Health Beauty Parlour business without indulging in any illegal activities, the police have no business to interfere with their routine affairs, at the same time, if the police receives any information with regard to any illegal activities, they have all the rights to proceed against the petitioner's beauty parlour as per law.

4.With the above observation, this Writ Petition stands disposed of. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar



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To.

1.The Secretary to Government
Home Department
Fort St. George
Chennai 600 009

2.The Assistant Commissioner of Police
Anuperpalayam Range Office
Anuperpalayam Police Station 1st floor
Anuperpalayam
Tiruppur

3.The Inspector of Police
Thirumurugan Poondi Police Station
Thirumurugan Poondi
Tiruppur

4.The Public Prosecutor,
High Court,
Chennai 600 104.

+lcc to Mr.G.V.Sridharan, Advocate, S.R.No.40638

W.P.No.15636 of 2022

AK-II(CO)
CT/08/07/2022