



WEB COPY



W.P No.22082 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

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THE HONOURABLE Ms. JUSTICE R.N.MANJULA

W.P No.22082 of 2021
and
W.M.P No.23299 of 2021

Ishwariya

... Petitioner

Vs.

1.The Commissioner of Police
Salem City
Salem.

2.The Inspector of Police
Fairland Police Station
Salem.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus forbearing the respondents from in any manner interfering with the affairs of the petitioners from Aroma Ayurvedic Spa Centre situated at 1/272/4, Krishnamaal Nagar, Chinaputhur, Salem Taluk and District, based on the representation dated 15.09.2021.

For Petitioner : Mr.N.Anand

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor



ORDER

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This Writ Petition has been preferred, seeking to issue a Writ of Mandamus forbearing the respondents from in any manner interfering with the affairs of the petitioners from Aroma Ayurvedic Spa Centre situated at 1/272/4, Krishnamaal Nagar, Chinaputhur, Salem Taluk and District and pass further orders.

2. Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondents.

3. The petitioner is a diploma holder in Ayurveda Panchakarma and Spa Massage; after getting due license to run the Aroma Ayurvedic Spa Massage Centre within Salem Corporation, she had established Aroma Ayurvedic Spa for curing various ailments to the needy people by way of providing Ayurvedic and Aroma treatments; the business is said to be carrying from the month of May 2021; the petitioner is not conducting any unlawful activities in her Spa Centre; however, the 2nd respondent is often interfering with the business of Spa Massage under the guise of inspection;



the petitioner purchased various machineries and apparatus by investing huge sum of money by availing amount with the bank loan; since the frequent interference of the respondents cause unnecessary trouble and harassment, she had given a representation to the respondents on 15.09.2021 by requesting the respondents not to interfere with her lawful business.

4. It is seen from the records that the petitioner has got a certificate from Haritha Ayurveda Training and Panchakarma Centre at Alappuzha, Kerala and completed her diploma in Ayurvedic Panchakarma and Spa Massage. After getting herself qualified, she had also obtained a license on 10.08.2021, to establish the massage centre of her own within the Corporation limit of Salem. Thereafter, she had established the Aroma Ayurvedic Spa Centre and conducting the same by paying due tax to the Corporation and other authorities.

5. The grievance of the petitioner is that the respondent police make frequent visits to her Spa by suspecting some illegal activities at the Spa Centre. Unless any authentic information is obtained about any illegal activities, the respondents need not make frequent visits to the Spa Centre in



the name of inspection.

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6. No doubt, the petitioner would have invested huge amount by way of purchasing various equipments and machineries in connection with her business. If the police makes frequent visits to the Spa that would cause embarrassment and spoil the good name of her business. This will also prevent her customers from using the Spa services. The respondent police could have known well during their earlier visits itself, whether the petitioner is conducting genuine Aroma Ayurvedic Spa business or not. No criminal case is pending against the petitioner. The petitioner is qualified to give the Ayurvedic treatment in her Centre. Hence, I feel it is appropriate to consider the representation of the petitioner and prevent them from making frequent visits by the respondents in the guise of inspection.

7. It is reliably learnt that at present the respondents do not interfere with the business of the petitioner, which is being conducted at 1/272/4, Krishnamaal Nagar, Chinaputhur, Salem Taluk and District.



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8. In view of the same, this Writ Petition stands allowed and the respondents are directed not to visit the Spa Centre, unless they get any authentic and verifiable information about any illegality. No costs. Consequently, connected Miscellaneous Petition is closed.

19.10.2022

Index : Yes/No
Speaking Order : Yes / No

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To

1.The Commissioner of Police
Salem City
Salem.

2.The Inspector of Police
Fairland Police Station
Salem.

3. The Public Prosecutor
High Court of Madras.



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R.N.MANJULA, J.,

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