



W.P.No.27167 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 12.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.27167 of 2022

M/s Aviva Spa,
rep. by its Proprietor S.V.Vignesh,
S/o S.Velumani, first floor, Door No.30,
Azhagesan Road, Sai Baba Colony,
Coimbatore 641 043.

... Petitioner

Vs.

1. The State of Tamilnadu,
Rep. by its Secretary to Government,
Home Department, Fort St. George,
Chennai 600 009.
2. The Commissioner of Police (Law and Order),
Commissioner of Police Office, Coimbatore City,
Huzur Road, Uppilipalayam,
Coimbatore 641 018.
3. The Inspector of Police (Law and Order),
C3, Saibaba Colony Police Station,
109, Ramalingam Colony, Saibaba Colony,
Coimbatore 641 011.

... Respondents



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Prayer: Writ Petition filed under Section 226 of the Constitution of India seeking 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 "Aviva Spa" at first floor, door No.30, Azhagesan Road, Said Baba Colony, Coimbatore 641 043.

For petitioner : Mr.G.V.Sridharan

For respondent : Mr.S.Santhosh
Government Advocate (Crl.side)

ORDER

This Writ Petition has been filed seeking 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 "Aviva Spa" at first floor, door No.30, Azhagesan Road, Said Baba Colony, Coimbatore 641 043.



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2. The learned counsel for the petitioner submitted that the petitioner is conducting a business under the name and style of "M/s Aviva Spa", after getting due license and No objection certificate from the authorities concerned. However, the respondent police are interfering with his peaceful business and hence the petitioner made a representation dated 30.09.2022 to the second and third respondent, but it was not considered. Hence this writ petition.

3. The learned Government Advocate (Crl.Side) appearing for the respondents submitted that the representation of the petitioner dated 30.09.2022 is available with the third respondent and the authorities concerned will consider the same and pass orders on its own merits and in accordance with law.

4. Recording the submissions made by the learned Government Advocate (Crl.Side), the third respondent is directed to consider the representation of the petitioner dated 30.09.2022 and to pass orders on its own merits and in accordance with law, within a period of three



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weeks from the date of receipt of a copy of this order.

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5. With the above direction, this Writ Petition is disposed of. No

costs.

12.10.2022

Index: Yes/No

mst

To

1. The Secretary to Government,
Home Department, Fort St. George,
Chennai 600 009.
2. The Commissioner of Police (Law and Order),
Commissioner of Police Office, Coimbatore City,
Huzur Road, Uppilipalayam,
Coimbatore 641 018.
3. The Inspector of Police (Law and Order),
C3, Saibaba Colony Police Station,
109, Ramalingam Colony, Saibaba Colony,
Coimbatore 641 011.
4. The Public Prosecutor,
Madras High Court.



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V.SIVAGNANAM, J.

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12.10.2022