



W.P.No.28819 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2022

CORAM:

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.No.28819 of 2022 and
WMP No.28105 of 2022

M/s.Neems Natural Body Massage Centre,
Rep. by its Proprietor S.Balasubramaniyan
S/o.Selvakumar,
carrying business at D.No.1/562, 100,
Karthi Residency, Hogenakkal,
Pennagaram Taluk,
Dharmapuri District – 636 810.
Petitioner

...

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary,
Home Department,
Fort St. George,
Chennai – 600 009.
2. The Superintendent of Police,
Dharmapuri,
Dharmapuri District – 636 701.
3. The Inspector of Police,
Hogenakkal Police Station,
Dharmapuri,
Dharmapuri District – 636 701.

...Respondents



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Writ petition is filed under Section 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents 2 and 3 or their men, agents from interfering with the peaceful conduct of business i.e., cross massage in the name and style of “**Neems Natural Body Massage Centre,**” at D.No.1/562, 100, Karthi Residency, Hogenakkal, Pennagaram Taluk, Dharmapuri District – 636 810, by considering the petitioner's representation dated 21.06.2022 addressed to the respondents 2 and 3.

For petitioner : Mr.D.Jagadeesan

For Respondents : Mr.E.Raj Thilak,
Additional Public Prosecutor

ORDER

This Writ Petition has been preferred to forbear the respondents 2 and 3 or their men, agents from interfering with the peaceful conduct of business in the name and style of “**Neems Natural Body Massage Centre,**” at D.No.1/562, 100, Karthi Residency, Hogenakkal, Pennagaram Taluk, Dharmapuri District – 636 810, by considering the petitioner's representation dated 21.06.2022.

2. The petitioner Massage Centre has got qualified and trained therapist who are giving massage therapy to the people coming thereon. There is no immoral activities conducted in the petitioner Centre. However, the respondent authorities frequently inspect the premises and interfere with



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their business. In this regard, the petitioner Massage Centre has given a representation dated 21.06.2022 to the respondents. However no steps have been taken on the said representation. Hence, this Writ Petition.

3. The learned Additional Public Prosecutor appearing for the respondents would submit that the alleged representation dated 21.06.2022 has not been reached to the concerned authority viz., the 3rd respondent Police. However, if a fresh representation is given in person to the 3rd respondent, it would be considered in accordance with law.

4. Considering the submissions made by both sides and taking note of the fact that the representation dated 21.06.2022 did not reach the hands of the competent authority, the petitioner is at liberty to give fresh representation to the authority concerned / the 3rd respondent viz., the Inspection of Police, Hogenakkal Police Station, Dharmapuri, in person and on receipt of the same, the 3rd respondent shall consider the same and do the needful in accordance with law within a period of three weeks thereafter.



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R.N.MANJULA,J.

vum

5. With the above direction, this Writ Petition stands disposed of.

Consequently, connected miscellaneous petition is closed.

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vum

Index:yes/No

Speaking order / Non speaking order

To

1. The Secretary,
Home Department,
Fort St. George,
Chennai – 600 009.
2. The Superintendent of Police,
Dharmapuri,
Dharmapuri District – 636 701.
3. The Inspector of Police,
Hogenakkal Police Station,
Dharmapuri,
Dharmapuri District – 636 701.
4. The Public Prosecutor,
Madras High Court,
Chennai.

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