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W.P.No.29909 of 2022
& W.M.P.No.29302 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.29909 of 2022
& W.M.P.No.29302 of 2022

M/s.Beauty Spa,
Rep. by its Proprietor,
Ponshankar,
43C/3, 2nd Floor,
Sathy Road, Ganapathy,
Coimbatore - 641 006.

...

Petitioner

versus

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

2.The Commissioner of Police (Law & Order),
Commissioner of Police Office,
Coimbatore City, Huzur Road,
Uppilipalayam,
Coimbatore - 641 018.

3.The Inspector of Police (Law & Order),
E-3 Police Station,
Saravanampatti - Kalapatti Road,
Thiruvannamail Nagar,
Ramanandha Nagar,
Saravanampatti, Coimbatore,
Tamilnadu - 641 035.

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Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India, seeking for 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 “Beauty Spa” at 43C/3, 2nd Floor, 1st Floor, Sathy Road, Ganapathy, Coimbatore - 641 006.

For Petitioner : Mr.G.V.Sridharan

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

ORDER

This Writ Petition has been filed seeking for a mandamus to forbear the respondents 2 and 3 from interfering with the peaceful conduct of petitioner's business in the name and style of “Beauty Spa” at 43C/3, 2nd Floor, 1st Floor, Sathy Road, Ganapathy, Coimbatore - 641 006.

2. The petitioner is the proprietor and carrying on business in the name and style of 'Beauty Spa' in the aforesaid address; qualified and trained therapists are working in the petitioner's Spa; he also obtained trade license from Coimbatore City Municipal Corporation *vide* license



No.162/2022/04/020/0012640 dated 24.09.2022 for conducting spa in the premises; he also sent representation to the respondents 2 and 3 not to interfere with his business activities without any authority of law; hence, this writ petition has been filed.

3. On perusal of the license produced by the petitioner, it is seen that the Municipal Authority had approved the petitioner to run a spa and he was made to pay the license fee as well. So long as the petitioner conducts any business in accordance with the license issued to him, the third respondent shall not interfere and cause any disturbance to the routine business activities of the petitioner. However, if the petitioner takes advantage of this license and attempts to involve himself in any other illegal activities in the premises, then the third respondent is bound to take appropriate action. But so far no such complaint has been received as against the petitioner's spa.

4. In view of the same, I feel it is appropriate on the part of the third respondent to consider the representation of the petitioner dated



01.11.2022 and accommodate the petitioner to run his 'spa' in accordance with his license.

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5. With the above observations, this Writ Petition is disposed of and the third respondent is directed to consider the representation of the petitioner dated 01.11.2022 and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

10.11.2022

Speaking order / Non-speaking order

Index : Yes / No

Internet : Yes

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To
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- 1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Home Department,
Fort St. George,
Chennai - 600 009.
- 2.The Commissioner of Police (Law & Order),
Commissioner of Police Office,
Coimbatore City, Huzur Road,
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Coimbatore - 641 018.
- 3.The Inspector of Police (Law & Order),
E-3 Police Station,
Saravanampatti - Kalapatti Road,
Thiruvannamail Nagar,
Ramanandha Nagar,
Saravanampatti, Coimbatore,
Tamilnadu - 641 035.
- 4.The Public Prosecutor,
Madras High Court,
Chennai.



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R.N.MANJULA, J.

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