



W.P(MD)No.14578 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.14578 of 2022

and

W.M.P(MD) No.10401 of 2022

K.S.Kamalath

...Petitioner

Vs.

1. The Commissioner of Police,
Trichy,
Trichy District.

2. The Inspector of Police,
Srirangam Police Station,
Trichy District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the respondents or their men or agent from interfering, or from disturbing with the lawful massage service i.e cross massage in the name and style of “RADIANCE BEAUTY SALOON & SPA” situated in Door No.2, Gayathiri Avenue, Sankar Nagar, Mangamma Nagar Extension, Srirangam, Trichy – 6 except by due process of law.

For Petitioner : Mr.H.S.Mohammed Rafi

For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)



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ORDER

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This Writ Petition has been filed seeking for a Writ of Mandamus forbearing the respondents or their men or agent from interfering, or from disturbing with the lawful massage service i.e cross massage in the name and style of “RADIANCE BEAUTY SALOON & SPA” situated in Door No.2, Gayathiri Avenue, Sankar Nagar, Mangamma Nagar Extension, Srirangam, Trichy – 6 except by due process of law.

2. The learned counsel for the petitioner would submit that the petitioner is running a Spa Centre in the name and style of “RADIANCE BEAUTY SALOON & SPA” situated in Door No.2, Gayathiri Avenue, Sankar Nagar, Mangamma Nagar Extension, Srirangam, Trichy. The petitioner is certified trainer in body treatment including Ayurvedic Massage Treatment and he is doing lawful business in providing body massage to the customers without any complaints whatsoever. He further submitted that the petitioner massage services do not involve any prohibited services under law. The petitioner is doing this business eke out his livelihood as he is an unemployed Mechanical Engineer. The respondent police have been visiting the massage spa centre and



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harassing the petitioner and staff members under the pretext of frequent inspection. The petitioner always used to cooperate with the frequent inspection made by the respondent police. Till date no adverse complaint is recorded against the petitioner in respect of the petitioner massage centre. However, frequent and unwarranted visits being made by the respondent police without any complaint is amounting to daily harassment to the petitioner. Such unwarranted interference by the police under the guise of inspection is affecting the petitioner's business and causing lot of embarrassment to the customers who comes for genuine massage treatment. Hence he has filed the above petition.

3. The learned Government Advocate (Crl.Side) appearing for the respondents, would submit that the respondents are following the guidelines issued by this Court W.P.No.24629 of 2014 dated 09.12.2014 and whenever any complaint is received, it is the duty of the petitioner to visit the same and if the petitioner is brought any adverse notice, the respondents are bound to take appropriate legal action in accordance with law.



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4. In view of the same, the writ petition is disposed of with a direction to the respondent police to follow the guidelines issued by this Court W.P.No.24629 of 2014, dated 09.12.2014. No costs. Consequently, the connected Miscellaneous Petition is closed.

07.07.2022

Index :Yes/No

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Note : Issue order copy on 13.07.2022

To

1. The Commissioner of Police,
Trichy,
Trichy District.
2. The Inspector of Police,
Srirangam Police Station,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM., J

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