

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

**MONDAY, THE TWENTIETH DAY OF JUNE
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION NO: 26033 OF 2022

Between:

Studio 1 (Unisex Salon and Spa), Rep. by its Proprietor Madupu Ramesh, S/o Madupu Balraj, Aged about 35 years, Hindu, Occ. Business, R/o H.No. 5-7-397/1, Sri Ram Nagar, B.N. Reddy Nagar, Champapet, Saroornagar, Vanasthalipuram, Hyderabad, Telangana State.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary Home Department, T.S.Secretariat, Hyderabad, Telangana State.
2. The Commissioner of Police, Hyderabad City, Hyderabad, Telangana State.
3. The Commissioner of Police, Cyberabad Commissionerate, Gachibowli, Hyderabad, Telangana State.
4. The Commissioner of Police, Rachakonda Commissionerate, Rachakonda, Hyderabad, Telangana State.
5. The Station House Officer, Vanasthalipuram Police Station, Vanasthalipuram, Hyderabad, Telangana State.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction more preferably one in the nature of Writ of Mandamus, declaring the action of the 2nd respondent in issuing the impugned notification No.(L&O)/M4/3140/2010, dated 30.06.2010 passed by the 2nd respondent as illegal, arbitrary, discriminatory, violative of Article 14, 19(1) (g) of the Constitution of India, contrary to the provisions of the

Hyderabad City Police Act, 1348 Fasli and consequently set-aside the same against the petitioner, in the interest of justice.

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased To suspend the impugned notification No.(L&O)/M4/3140/2010, dated. 30.06.2010 passed by the 2nd respondent against the petitioner, pending disposal of the above Writ Petition.

Counsel for the Petitioner: SRI RAJANIKANTH JWALA

Counsel for the Respondents: GP FOR HOME

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.26033 of 2022

ORDER:

This Writ Petition is filed seeking a *mandamus* to declare the impugned notification dated 30.06.2010 issued by the respondent No.2, as arbitrary and illegal.

2. Learned counsel for the petitioner as well as learned Assistant Government Pleader for Home submit that in similar circumstances, this Court has disposed of several writ petitions in W.P.Nos.16281 of 2010 and batch dated 28.09.2021 in terms of interim order dated 04.02.2021 in I.A.No.1 of 2020 in W.P.No.24410 of 2020.

3. In view of the submissions of learned counsel for both sides, this Writ Petition is disposed of in terms of order dated 04.02.2021 in I.A.No.1 of 2020 in W.P.No.24410 of 2020, permitting the petitioner to run the massage centre, subject to maintaining a record in the register to be maintained by the massage centre containing the dates of visits of the customers, their names and verifiable addresses together with the phone numbers, so as to enable the police to contact them on the aspect of the request to the owner/manager/operator of the massage centre to provide for the help from the opposite sex. Further, it is shall be open to any Police Officer not below the rank of a Sub-Inspector of Police

attached to any Police Station to verify once in a while such records maintained by the massage centre and he shall also be at liberty to verify as to whether the particular customer has solicited any such special service from the massage centre or not. It is also open to the police to take appropriate action depending upon the result of any such verification and also considering the fact that whether the cross massage service provided to the customers is in professional manner or not. The police are also entitled to investigate into crimes, if any, reported against the petitioner. The petitioner is also directed not to keep the main door of the premises closed, during the working hours. Subject to these conditions, the petitioner may be permitted to carry on the business, duly taking all necessary and proper precautions to ensure that no incident of immoral activity is carried on under the guise of providing whole body massage.

The miscellaneous petitions pending, if any, shall stand closed.

There shall be no order as to costs.

**SD/- T. SRINIVAS
DEPUTY REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Home Department, State of Telangana, T.S.Secretariat, Hyderabad, Telangana State.
2. The Commissioner of Police, Hyderabad City, Hyderabad, Telangana State.
3. The Commissioner of Police, Cyberabad Commissionerate, Gachibowli, Hyderabad, Telangana State.
4. The Commissioner of Police, Rachakonda Commissionerate, Rachakonda, Hyderabad, Telangana State.
5. The Statation House Officer, Vanasthalipuram Police Station, Vanasthalipuram, Hyderabad, Telangana State.

6. One CC to Sri Rajanikanth Jwala, Advocate [OPUC]
7. Two CCs to GP for Home, High Court for the State of Telangana. [OUT]
8. Two CD Copies
9. One Spare Copy

GJ

GJP

HW

HIGH COURT

DATED:20/06/2022

ORDER

WP.No.26033 of 2022



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

(11)
30/6/22
HVL