



WEB COPY



Writ Petition No.26257 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.26257 of 2023

1.Mothi Kiruba Sankar
S/o.Rajendran

2.Sowmya
D/o.P.Balakrishnan

3.P.Balakrishnan
represented by Power Agent of
petitioners 1 & 2
S/o.Palanisamy

...Petitioners

Vs

1.The Commissioner of Police,
Coimbatore City,
Coimbatore.

2.The Commissioner,
Corporation of Coimbatore,
Coimbatore - 641 001.

3.M/s.Makeup Magic Beauty Parlour,
represented by its Proprietrix Mrs.A.Shanthi
W/o.Anguraj
Door No.585-A, KCR Complex,
7th Street Extension,
Gandhipuram, Coimbatore - 641 012.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to take necessary action against the third respondent, who is running the beauty parlour namely "Makeup Magic Beauty Parlour" at Door No.585-A, KCR Complex, 7th Street extension, Gandhipuram, Coimbatore - 641 012, without obtaining licenses from the authorities by considering the petitioner's representation dated 14.07.2023.

For Petitioners : Mr.S.Saravanan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1&R2]

ORDER

This Writ Petition has been filed for a direction to the respondents 1 and 2 to act upon the representation made by the petitioners on 14.07.2023 to take action against the third respondent, who is said to be running a beauty parlour without obtaining any license.

2. Heard Mr.S.Saravanan, learned counsel for petitioners and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondents 1 and 2.



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3. This is a case where the petitioners want to evict the third respondent from the property since the third respondent is a tenant. If the third respondent is using the property for a different purpose than for which it was leased, it is always left open to the petitioners to file a eviction petition on that ground. In stead of filing a eviction petition before the concerned Court, a Writ Petition cannot be filed to short circuit that procedure. Hence, this Court is not inclined to entertain this Writ Petition. Liberty is granted to the petitioners to work out their remedy before the competent Court seeking for eviction of the third respondent in accordance with law.

This Writ Petition is disposed of accordingly. No costs.

08.09.2023
(2/2)

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm



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N.ANAND VENKATESH, J

gm

To

1.The Commissioner of Police,
Coimbatore City,
Coimbatore.

2.The Commissioner,
Corporation of Coimbatore,
Coimbatore - 641 001.

3.The Public Prosecutor,
High Court, Madras.

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