



WEB COPY



W.P.No.30186 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.30186 of 2023

and

W.M.P.Nos.29798 & 29799 of 2023

M/s. Bliss Cafe

Rep by its Proprietor D.Praveen Kumar

S/o. G.Dhanapathiraja

No.52, Kakkan Street,

Potheri,

Chengalpattu – 603 2023

... Petitioner

Vs.

1. The Commissioner of Police,
Tambaram City Police,
Sholinganallur,
Chennai – 600 119.

2. The Assistant Commissioner of Police,
Guduvancherry Police Station,
Guduvancherry,
Chengalpattu District.

3. The Inspector of Police,
Maraimalai Nagar Police Station,
Maraimalai Nagar,
Chengalpattu District.

... Respondents



W.P.No.30186 of 2023

Prayer: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue Writ of Mandamus forbearing the respondents and their subordinate officer from interfering with the conduct and functioning of the petitioner business carried on in the name and style of “BLISS CAFE” having restaurant with separate smoking area for serving herbal flavoured hookah without any content or trace of Tobacco or Nicotine.

For Petitioner : Mr. C.Uma Shankar
for Mr.K.Balaji

For R1 to R5 : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)

ORDER

Petitioner herein claiming that, he is serving only herbal flavoured hookah in his Restaurant in a separate venture, seeks indulgence of this Court to direct the respondents from forbearing them from interfering with the business of the petitioner carried in the name of “BLISS CAFE”. Some of the earlier orders of this Court is also enclosed to impress upon this Court to pass similar order.

2. However, this Court is not inclined to restrain the law enforcing agency from discharging their duty. Whether, they serve permitted products or prohibited products is a matter for consideration only if the



W.P.No.30186 of 2023

respondents are permitted to make periodical check and any restrained order of this nature will deter them from enforcing the law. Since the drug menace is high in the state, no such prohibitory order for the law enforcing agency can be issued.

3. Accordingly, this Writ Petition is dismissed. Consequently, connected miscellaneous petitions are dismissed.

The dismissal of the writ petition shall not stand in the way of the petitioner to carry on his business within the permissible parameter under the law.

18.10.2023

Index : Yes/No
Neutral Citation : Yes/No
Sma

