



W.P. No.33323 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.11.2023

CORAM :

THE HONOURABLE Dr. JUSTICE **G.JAYACHANDRAN**

W.P No.33323 of 2023
and WMP. No.33057 of 2023

M/s.Billionaire Brothers,
A Partnership Firm,
Represented by its Partner,
Praveen Rajkumar,
No.24A to G, College Road,
Nungambakkam, Chennai.

.. Petitioner

Vs.

1.The Commissioner of Police,
Greater Chennai Police,
EVK Sampath Road,
Vepery, Periyamet,
Chennai -600 007.

2.The Inspector of Police,
F-3 Police Station,
Nungambakkam,
Chennai.

..Respondents

PRAYER : Writ Petition has been filed under Article 226 of the



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Constitution of India, to issue Writ of Mandamus, directing the respondents not to disturb the petitioner's peaceful running of the hookah business in its Restaurant and Bar premise namely Barracuda Brew at No.24A-G, College Road, Nungambakkam, Chennai and consequentially restrain the 2nd respondent police from entering the Restaurant and Bar premises or disturbing the herbal hookah business of the petitioner without any legal authority or without the prior permission as contemplated under law.

For Petitioner	: Mr.A.Ashwinkumar
For Respondents	: Mr.Leonard Arul Joseph Selvam, Government Advocate (Crl.Side)

ORDER

The petitioner seeks a direction to the 2nd respondent Police to not to interfere the petitioner's peaceful running of the hookah business in its Restaurant and Bar premises namely Barracuda Brew at No.24A-G, College Road, Nungambakkam, Chennai .

2. The said prayer cannot be entertained for the simple reason that unless and until the Police make search and inspection of the premises where the material served to the customers, cannot on presumption that it is herbal hookah, Police cannot be restrained from discharging their duty.

2. This petition is dismissed with costs of Rs.25,000/- payable to



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the Legal Services Authority, Madras High Court, Chennai.

Consequently, connected Miscellaneous Petition is also dismissed.

Connected Miscellaneous Petition is also dismissed. No costs.

29.11.2023

Internet : Yes/No

Index: Yes/No

rkp

To

1.The Commissioner of Police,
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Chennai -600 007.

2.The Inspector of Police,
F-3 Police Station,
Nungambakkam,
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3.The Public Prosecutor,
Madras High Court,
Madras.



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Dr.G.JAYACHANDRAN, J.

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