



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.506 of 2024

M/s.KMS Bakery
Rep. by its Proprietor
A.Arulkumar
Son of Ayyadurai
Kovai Main Road, Chinnavaipudur
Senbagapudur Post, Sathyamangalam Taluk
Bhavani Sagar Block, Erode – 638 402

... Petitioner

Vs.

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Erode – 638 001.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Rasamangalam.
- 3.The Inspector of Police,
Puliampatti.

...Respondents

PRAYER : Petition under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the Respondents not to interfere with the lawful business of the Bakery situated at Kovai Main Road, Chinnavaipudur, Senbagapudur Post, Sathyamangalam Taluk, Bhavanai Sagar Block, Erode 638 402 and to enable the petitioner to run the Bakery round the clock in accordance with law.



For Petitioner : Mr.M.V.Bibin Mahesh

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor
for R1 to R3

ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondent police not to interfere with the lawful business conducted by the petitioner in the subject property.

2.The grievance of the petitioner is that they are running a Bakery shop after getting proper license from the competent authority. There are nearly 20 employees who have been engaged by the petitioner. According to the petitioner, the respondent police is interfering with the running of the Bakery and hence, left with no other option, the present writ petition has been filed before this Court.

3.The learned Additional Public Prosecutor on instructions submitted that the petitioner cannot run the shop beyond 11 p.m. Since the petitioner is running the shop beyond 11 p.m, the police had requested the petitioner to close down the shop. Apart from this, there is no interference from the police.



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4.The learned counsel for the petitioner submitted that for the present, the petitioner will not run the Bakery Shop beyond 11 p.m. Till, the petitioner gets the permission from the appropriate authority to operate the shop for all the 24 hours, the petitioner will ensure that the shop is closed by 11 p.m.

5.In the light of the specific stand/undertaking given by the petitioner, it is made clear that the petitioner will not run the Bakery shop beyond 11 p.m. This arrangement will continue till the petitioner gets the appropriate license to keep the Bakery shop open for all the 24 hours. If the petitioner complies with the same, there shall be a direction to the respondent police not to interfere with the business.

6.This writ petition is disposed of with the above directions. No Costs.

10.01.2024

Index : Yes/No
Internet : Yes/No
Speaking/Non-Speaking Order
ssr



N.ANAND VENKATESH, J

SSR

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To

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Office of the Superintendent of Police,
Erode – 638 001.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Rasamangalam.
- 3.The Inspector of Police,
Puliampatti.
- 4.The Public Prosecutor,
High Court, Madras.

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