



WEB COPY



CrI.O.P.No. 13195 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.05.2024

CORAM

THE HON'BLE MR. JUSTICE K. KUMARESH BABU

Writ Petition No. 13195 of 2024

and

WMP.No. 14344 of 2024

C. Indhiran

..Petitioner

Versus

1.The Commissioner of Police
The Greater Chennai Police
Vepery, Chennai.

2. The Inspector of Police
R-9, Valsarvakkam Police Station
Chennai.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, prays to issue a Writ of Mandamus, direct the respondents to permit the petitioner to carry on business of the petitioner in the name and style of "Aanand Park Unisex Salon & Ayurvedic Thai Spa" at Door No. 153F, Kamarajar Street, Ramakrishna Nagar, Valasaravakkam, Chennai, Tamil Nadu-600 087 by passing orders on the petitioner's representation dated 29.04.2024.

For Petitioner : Mr.N.Edwin Jayakumar



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For Respondents : Mr.L. Baskaran
Government Advocate (Criminal Side)

ORDER

The prayer in this writ petition seeks for issuance of a Writ of Mandamus to direct the petitioner to carry on business as licensed by the second respondent which is valid licence till 31.03.2025.

2. The case of the petitioner is that the second respondent herein had unauthorizedly entered into the petitioner's place of business on 26.04.2024 on the pretext of investigation and locked the premises without any basis. In spite of repeated requests to the second respondent, the second respondent had refused to open the lock on the petitioner's premises and therefore, the petitioner has come forward with the present writ petition.

3. However, on the other hand, the learned Government Advocate (Criminal Side) appearing for the respondents would submit that the premises of the petitioner had never been locked by the second respondent Police and routine check up would be conducted by the



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respondent Police to ascertain as to whether any illegal activities are being carried on under the pretext of the license.

4. The petitioner cannot refrain the second respondent/Police from getting charge of the premises if there is any violation of the license conditions. Further, on instructions, as submitted by the learned Government Advocate, the second respondent/Police has not locked the premises of the petitioner on his own and it shall be opened. It is made clear that the second respondent/Police, without any valid reason, take action against the petitioner as his licence is valid till 31.03.2025.

5. With the aforesaid observations, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

09.05.2024

Index: Yes / No
Internet: Yes / No
Speaking / Non-Speaking order
MSM



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To
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1. The Commissioner of Police
The Greater Chennai Police
Vepery, Chennai.
2. The Inspector of Police
R-9, Valsarvakkam Police Station
Chennai.
3. The Public Prosecutor,
High Court, Madras.

K. KUMARESH BABU, J



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