



WP(MD) No.4239 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **28.02.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.(MD) No.4239 of 2024

Style of Virundha Ayurvedic Center,
Represented through its Proprietor,
J.Regis Thomas

... Petitioner

/vs./

1.The Commissioner of Police,
Office of the Commissioner of Police,
Trichy.

2.The Inspector of Police,
Fort Police Station (AVS SQUAD),
Trichy City,
Trichy.

3.The Municipality Commissioner,
Trichy Municipality,
Trichy.

4.The Assistant Municipality Commissioner,
Srirangam Division,
Trichy.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents 1 and 2 to permit the Petitioner to run the Spa Center as per the Petitioner's representation.



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For Petitioner : Mr.K.P.Ramesh
For R-1 and R-2 : Mr.B.Thanga Aravindh
Government Advocate
(Criminal Side)

ORDER

The learned Counsel for the Petitioner submitted that the Petitioner had filed this petition for issuance of Writ of Mandamus, seeking direction against the Respondents 1 and 2, to permit the Petitioner to run the Spa Center based on the Petitioner's representation dated 12.01.2024.

2. It is the contention of the learned Counsel for the Petitioner that the Petitioner is running a Spa Center in the name and style of Virundha Ayurvedic Center. Earlier, the Petitioner had filed Criminal Original Petition in CrI.O.P.(MD).No.13739 of 2019 which was heard and disposed of by order dated 27.09.2019, in which this Court had directed the Police officers not to harass the Petitioner under the guise of enquiry or investigation. Also this Court had directed them to follow the guidelines issued in the reported ruling of the Hon'ble Supreme Court in the case of *Lalitha Kumari Vs. State of Uttar Pradesh* reported in (2014) 2 SSC 1. While so, it is the contention of the



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learned Counsel for the Petitioner that the Respondent Police had directed them to close the Spa Center. Therefore, based on the oral orders, the Spa Center had been closed. Subsequently, the Petitioner had filed this petition seeking for direction against the Respondent Police for granting permission to run the Spa Center.

3. The learned Government Advocate (Criminal Side), on instructions of the Respondent Police would submit that subsequent to the order passed by this Court in CrI.O.P.(MD).No.13739 of 2019 dated 27.09.2019, the Respondents came to know that under the guise of Spa, they had been running brothel. Therefore, the Respondent Police had registered a case in Crime No.486 of 2023, under the Immoral Traffic (Prevention) Act, 1956. Also the Respondent Police had received complaint from the building owner to evict the Petitioner from the premises, as it is used for immoral purposes. Therefore, the learned Government Advocate (Criminal Side) prays this Court to dismiss this petition.

4. Considering the submissions made by the learned Counsel for the Petitioner and the learned Government Advocate (Criminal Side), this Court finds no merits in this petition.



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5. Accordingly, this Writ Petition stands dismissed. No costs.

28.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Nsr

TO:

- 1.The Commissioner of Police,
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SATHI KUMAR SUKUMARA KURUP, J.

Nsr

Order made in
W.P.(MD)No.4239 of 2024

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