



W.P(MD)No.9956 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 09.04.2025

CORAM :

THE HON'BLE MR.JUSTICE P.DHANABAL

W.P(MD)No.9956 of 2025

Muthumani

... Petitioner

Vs

1. The Superintendent of Police,
Virudhunagar District, Virudhunagar.

2. The Deputy Superintendent Of Police,
Rajapalayam, Virudhunagar District.

3. The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.

... Respondents

PRAAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing respondents herein from interfering with the business activities of petitioners eatery shop namely and style of M/s. Lakshmi Vilas Hotel at No.42, 44 and 44G, Jawahar Maithanam, Rajapalayam, Virudhunagar during the late night hours and permit the petitioner to keep open the shop 24 x 7 for all days of the year in the light of G.O. Ms. No.61, Labour Welfare and Skill Development (K2), dated 02.06.2022.

For Petitioner : Ms.S.Meena

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor



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ORDER

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This Writ Petition has been filed to forbear the respondents from interfering with the business activities of petitioner's eatery shop namely and style of M/s. Lakshmi Vilas Hotel at No.42, 44 and 44G, Jawahar Maithanam, Rajapalayam, Virudhunagar during the late night hours and permit the petitioner to keep open the shop 24 x 7 for all days of the year in the light of G.O. Ms. No.61, Labour Welfare and Skill Development (K2), dated 02.06.2022.

2. According to the petitioner, he is running a Hotel in the name and style of M/s. Lakshmi Vilas Hotel at No.42, 44 and 44G, Jawahar Maithanam, Rajapalayam, Virudhunagar. He is entitled to run the Hotel 24 x 7 for all days of the year in the light of G.O. Ms. No.61, Labour Welfare and Skill Development (K2), dated 02.06.2022. He has registered the Hotel under Tamil Nadu Catering Establishments Rules, 1959 and also got license from the Food & Safety Department to sell the food products vide Reg.No.22424515000041 and also paying necessary professional tax to the Rajapalayam Municipality. While so, the 3rd respondent insisted the petitioner not to open the Hotel beyond 10.30



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p.m. In this regard, he has given a representation on 29.03.2025, but the same was not considered. Hence, this petition has been filed.

3.The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner's Hotel located in the main area and the customers used to park vehicles in the road, thereby, causing hindrance to the general public. Therefore, the 3rd respondent advised the petitioner not to create any hindrance to the public by parking the vehicles in the road and they have not insisted the petitioner to close the Hotel beyond 10.30 p.m. If the petitioner is ready to conduct Hotel without causing hindrance to traffic, they have no objection to run the Hotel. The representation of the petitioner is under consideration.

4.Considering the prayer of the petitioner and recording the submission of the learned Additional Public Prosecutor, this Court is hereby directs the 3rd respondent to consider the representation of the petitioner and pass appropriate orders within a period of one week from the date of this order, in the light of G.O.Ms.No.61 Labour Welfare and Skill Development (K2), dated 02.06.2022 and in accordance with law.



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5. With the above observations and direction, this Writ

Petition is disposed of.

09.04.2025

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

PNM

To

1. The Superintendent of Police,
Virudhunagar District, Virudhunagar.
2. The Deputy Superintendent Of Police,
Rajapalayam, Virudhunagar District.
3. The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

PNM

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