



W.P.Crl.(MD)No.2203 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

W.P.Crl.(MD).No.2203 of 2025

G.Sakthivel

... 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

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents from restraining / interfering with petitioner's business activities run in the name of Velmurugan Tea Stall at D.No.110D, Sankarankoil road, Rajapalayam Town during late night hours and allow the petitioner to keep open the shop 24 X 7 peacefully for all days of the year.

For Petitioner : Mr.S.Venkatesh

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



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ORDER

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This Writ Petition is filed for Mandamus to forbear the respondents from restraining / interfering with the petitioner's business activities run in the name of 'Velmurugan Tea Stall' at D.No.110D, Sankarankoil road, Rajapalayam Town during late night hours and allow the petitioner to keep the shop open 24 X 7 on all days of the year.

2. The learned counsel for the petitioner would submit that the State Government has passed an order in G.O.Ms.No.61, Labour Welfare and Skill Development (K2) Department, dated 2nd June 2022, exempting all shops and establishments employing 10 or more persons, from the provisions of Sub-section (1) of Section 7 and Sub-section (1) of Section 13 of the Tamil Nadu Shops and Establishments Act, 1947. Hence, the respondents have no jurisdiction to prevent the petitioner from opening the Tea Stall 24 X 7 on all days.

3. The learned Additional Public Prosecutor, on instructions, would submit that unless the conditions stipulated in the above Government Order are satisfied, the petitioner would have no right to keep the shop open 24 X 7 on all days.



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4. Admittedly, the Government has passed an order in G.O.Ms.No.61, permitting shops employing 10 or more persons to be open 24 X 7 on all days. If the petitioner complies with the conditions imposed in the said Government Order, the respondents would have no jurisdiction to interfere with the said shop. However, if the respondents find that the petitioner does not satisfy the conditions, they shall communicate a written order to the petitioner giving reasons as to why the petitioner would not come within the purview of the said G.O. If the petitioner is thereafter aggrieved by any such communication, he can challenge the same. Till then, the respondents shall not interfere with the petitioner's business.

5. With the above observations, this Writ Petition stands disposed of. There shall be no order as to costs.

26.11.2025

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



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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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SUNDER MOHAN, J.

Lm

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