

HON'BLE Ms. JUSTICE B.S.BHANUMATHI

Writ Petition No.10698 of 2023

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed seeking the following relief:

“....to issue a Writ Order of direction more particularly one in the nature of Writ of Mandamus to declare the action of the Respondents more particularly 3rd respondent herein in interfering with the day-to-day activities business affairs/activities of the petitioner without their registering any crime/complaint as illegal, arbitrary, unconstitutional and in violation of Article 19(1) (g) & 21 of Constitution of India and consequently to direct the 3rd respondent herein not to interfere with the day-to-day business activities of the petitioner spa center and pass such other order....”

2. Heard learned counsel for the petitioner and the learned Government Pleader for Home appearing for the respondents.

3. Learned counsel for the petitioner submitted that the police are continuously interfering with the business of the petitioner.

4. Learned Government Pleader for Home submitted that no interference is made by the police in the business of the petitioner, but normally to maintain law and order, the police would conduct night patrolling. He further submitted that no crime has been registered against the petitioner, but the Writ Petition was filed on mere unfounded apprehension.

5. The respondents shall not interfere in the lawful business of the petitioner so long as no offence is committed by the petitioner, however the respondents are not precluded from taking appropriate action, if any illegal activity is conducted in the business premises of the petitioner.

6. With the above observation, the Writ Petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE B.S.BHANUMATHI

Date : 26-04-2023
SAB