



W.P.(MD)No.2893 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.(MD)No.2893 of 2025

A.Vijayakumar

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Tenkasi Circle, Tenkasi District.

3.The Inspector of Police,
Kuttralam Police Station,
Tenkasi District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue Writ of Mandamus directing the respondents not to interfere with running the petitioner's Eatery namely “Kuttapa Sweets and bakery” situated at Asath Nagar, Door No.1/171/1, Tenkasi District during late night hours by considering his representation dated 22.01.2025.

For Petitioner : Mr.M.Chandrabose

For Respondents : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.



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ORDER

This writ petition has been filed to direct the respondents not to interfere with running the petitioner's Eatery namely “Kuttapa Sweets and bakery” situated at Asath Nagar, Door No.1/171/1, Tenkasi District during late night hours by considering his representation dated 22.01.2025.

2.The petitioner is running bakery namely “Kuttapa Sweets and bakery”, which is situated near Tenkasi to Tirunelveli National Highway. There are totally 17 full time labours and 5 part time labours are working in the petitioner's shop. The petitioner is paying Goods and Service Tax (GST) and other taxes properly for every year. The Government had passed an order in G.O.Ms.No.61, Labour Welfare and Skill Development dated 02.06.2022 granting permission to all shop and establishments to keep open for 24 hours on all days. However, the respondent Police is interfering in the business of the petitioner. Hence, the petitioner filed the present petition by relying the decision of this Court in W.P.(MD)No.2360 of 2025 dated 29.01.2025.



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3.The learned Additional Public Prosecutor appearing for the respondents would submit that the shop of the petitioner is situated in the national highway and if the petitioner's shop is opened, there will be a law and order problem. If the petitioner appears and files a proper affidavit before the respondents stating that he will comply with all the conditions, the respondents will take appropriate decision.

4.Recording the above submission, the petitioner is directed to file an affidavit stating that he will comply with all the conditions before the respondents and the respondents is directed to consider the same. Accordingly, this writ petition is disposed of. No costs.

31.01.2025

NCC : Yes / No
Index : Yes / No
gns



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M.NIRMAL KUMAR, J.

gns

To

- 1.The Superintendent of Police,
Tenkasi, Tenkasi District.
- 2.The Deputy Superintendent of Police,
Tenkasi Circle, Tenkasi District.
- 3.The Inspector of Police,
Kuttralam Police Station,
Tenkasi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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31.01.2025