



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2019

CORAM:

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. (MD)No.17298 of 2019

M.P.Karthikeyan

... Petitioner

Vs.

The Inspector of Police,
Couttralam Police Station,
Couttralam,
Tirunelveli District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondent to grant permission to the petitioner to run Ayurveda Massage and Treatment Centre in the name and style of 'Angels Spa' at D.No.9/1, Parasakthi Nagar, Couttralam, Tenkasi Taluk, Tirunelveli District by considering the representation submitted by him on 01.07.2019.

For Petitioner : Mr.K.Sankar

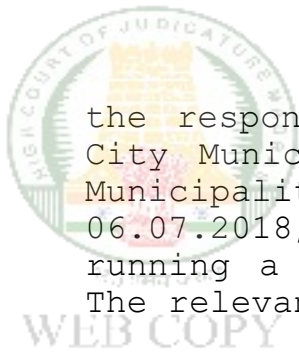
For Respondent : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)

O R D E R

This Writ Petition has been filed seeking a direction to the respondent Police not to interfere with the peaceful conduct of the petitioner's business of running Ayurveda Massage and Treatment Centre in the name of "Angels Spa".

2. The grievance of the petitioner is that, he is running a Ayurveda Massage and Treatment Centre in the name of "Angels Spa". Now, the respondent Police are preventing the petitioner from running the business on the ground that he is running the business without obtaining any license. According to the petitioner, there is no requirement to get a license from any authorities to run the Salon and Spa Centre. But the respondent Police are interfering with the petitioner's business and unnecessarily harassing him.

3. The learned Additional Public Prosecutor appearing for



the respondents, on instructions, submitted that, now the Chennai City Municipal Corporation Act, 1919 and the Tamil Nadu District Municipalities Act, 1920 have been amended with effect from 06.07.2018, wherein, Schedule V of the Act, requires a license for running a Haircut Saloon, Beauty Parlour, Spa or Massage Parlour. The relevant portion of the Amendment Act reads as follows:-

“(jj)Haircutting Saloon or beauty parlour, without partition or room.

(jjj)Beauty Parlour, spa or massage parlour, with partition or room or sauna or bathing facilities:

Provided that no licence shall be granted unless the applicant produces no objection certificates from such Health Officer and Police Officer as may be specified by the Executive authority.”

4. As per the above said amendment, to run a Beauty Parlour, Haircut Saloon, Spa or Massage Parlour, the petitioners should necessarily get a license from the Authorities concerned.

5. I have considered the rival submissions and also perused the materials carefully.

6. Now the Tamil Nadu District Municipalities Act, 1920 as well as the Chennai City Municipal Corporation Act, 1919, have been amended and as per the amended provision, a license is required for running a Haircut Saloon, Beauty Parlour, Massage Centre or Ayurvedic Spa. Admittedly, in the instant case, the petitioner so far did not obtain any license. In the above circumstances, the prayer sought for by the petitioner cannot be granted. Hence, the Writ Petition stands dismissed. However, it is always open to the petitioner to approach the Authorities concerned seeking for license and after obtaining license, he can run the Salon and Spa Centre. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

The Inspector of Police,
Coutralam Police Station,
Coutralam, Tirunelveli District.



+1 CC to M/s.K.SANKAR, Advocate (SR-80252[F] dated 07/08/2019)

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