

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2020

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.9984 of 2020

M/s. Happy Spa,
Rep. By its Partner S.Sumitha
Daughter of Sundaram,
No.14, G.K.S.Avenue,
Thondamuthur Road,
Vadavalli,
Coimbatore - 641 046.

... Petitioner

Vs

1. The Superintendent of Police,
District Police Office,
State Bank Road,
Coimbatore-18
 2. The Inspector of Police,
Vadavalli Police Station,
M5, Navavoor Pirivu,
Coimbatore - 641 108.
 3. The Coimbatore Corporation Municipal Office,
West Zone, Ward - 18,
Maruthamalai Road, Vadavalli,
Coimbatore - 641 108.
- ... Respondents

Prayer: Writ Petition filed under Section Article 226 of the Constitution of India praying Writ of Mandamus to direct the respondent 2 to issue the "No Objection Certificate so as to enable the petitioner to submit the application with the 3rd respondent for securing Trade license to commence their business at No.14, G.K.S.Avenue, Thondamurthur Road, Vadavalli, Coimbatore- 641 046.

For Petitioner : Mr.A.R.M.Arunachalam

For Respondents : Mr.R.Govindasamy,
Special Government Pleader
for R1 & R2
Mr.J.Sathyanarayana Prasad
Standing Counsel for R3

O R D E R

This matter is taken up for hearing through Video-Conferencing mode.

2. Mr.R.Govindasamy, learned Special Government Pleader takes notice for the 1st and 2nd respondents. Mr.J.Sathyanaraya Prasad, learned Standing Counsel takes notice for the 3rd respondent. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

3. It appears that the petitioner has approached the 2nd respondent and sought for "No Objection Certificate" by making oral request. Based on such oral request, the petitioner cannot approach this Court and seek for a Mandamus as sought for in this writ petition.

4. Therefore, this Writ petition is disposed of only with a direction to the petitioner to make a written request before the 1st and 2nd respondents seeking for issuance of "No Objection Certificate" for running the SPA. If any such application is filed, the same shall be considered and appropriate orders shall be passed by the 2nd respondent on merits and in accordance with law within a period of three weeks from the date of receipt of such application. It is made clear that this Court is not expressing any view on the merits of the claim made by the petitioner for issuance of "No Objection Certificate", as it is for the 1st and 2nd respondents to consider and decide. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

mk/vsi

To

1. The Superintendent of Police,
District Police Office, State Bank Road,
Coimbatore-18.
2. The Inspector of Police,
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Coimbatore - 641 108.

3. The Coimbatore Corporation Municipal Office,
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+1cc to Mr.AR.M.Arunachalam, Advocate, S.R.No. 25561

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SSV(CO)
GN(07/08/2020)



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