

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.08.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.10168 of 2020

and

WMP No.12365 of 2020

D.Ajay Kumar Golchha
S/o.Dharam Chand Golchha
No.36, Ramalingam Nagar
K.K.Pudur, Coimbatore.

...Petitioner

Vs.

1.The Commissioner,
Coimbatore Corporation,
Coimbatore.

2.The Commissioner of Police,
62, Old Post Office Road,
Gopalapuram,
Coimbatore City.

3.The Inspector of Police,
Saibaba Colony Police Station,
Coimbatore.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus to direct the third respondent to issue "No Objection Certificate" to the petitioner to run the spa in accordance with the Official Gazette Notification 252 dated 16.07.2018 and also forbearing the 2nd and 3rd respondents, their men, subordinate or anyone acting on their behalf from in any manner interfering with business of the petitioner's business namely i.e.the cross massage of "Bali Massage & Crystal Spa" at No.36, Ramalinga Nagar, K.K.Pudur, Coimbatore, Coimbatore 641 027.

For Petitioner : Mr.T.Balaji

For Respondents : Mr.D.Suriyanarayanan
Additional Government Pleader
for R2 and R3
R1-Dispensed with

O R D E R

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

2. Mr.D.Suriyanarayanan, learned Additional Government Pleader takes notice for respondents 2 and 3. Since the relief sought for in this writ petition is against the respondents 2 and 3, notice to the first respondent is dispensed with.

3. The petitioner seeks for a mandamus directing the third respondent to issue "No Objection Certificate" to run the spa in accordance with the official Gazette Notification dated 16.07.2018 and also to forbear the respondents 2 and 3 from interfering with the business of the petitioner.

4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 2 and 3.

5. It is stated by the petitioner that for running the spa, the petitioner has obtained trade license from the first respondent and applied before the third respondent for issuing 'No Objection Certificate' for running the said spa. It is further stated that the said application was made before the third respondent on 18.07.2020. The grievance of the petitioner is that the said application has not been considered by the third respondent so far.

6. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner before the third respondent, as it is for him to consider and pass orders on the petitioner's application dated 18.07.2020. Accordingly, this writ petition is disposed of, by directing the third respondent to consider the said application dated 18.07.2020 and pass orders on the same on merits and in accordance with law within a period of three weeks from the date of receipt of a copy of this order. No costs. The connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vri/mk

To

1.The Commissioner,
Coimbatore Corporation,
Coimbatore.

2.The Commissioner of Police,
62, Old Post Office Road,
Gopalapuram,
Coimbatore City.

3.The Inspector of Police,
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+1cc to Mr.T.Balaji, Advocate, S.R.No.26086

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MP (CO)
KKV/14/08/2020



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