

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.12.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.18832 of 2020
and
W.M.P.No.23404 of 2020
(Heard through VC)

Megaraj Nisha

.. Petitioner

-vs-

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

2.The Inspector of Police,
Tiruppur Town,
(South) Police Station,
Tiruppur District.

.. Respondents

Prayer: Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to issue a No Objection Certificate to the petitioner to run a "SPA" i.e., cross massage in the name and style of "ALLURE DAY SPA" at M/s.Hotel MPS Residential Towers, No.6A, Easwaran Kovil Street (North), Tirupur - 641 601 by passing orders on petitioner's representation dated 02.11.2020.

For Petitioner : Mr.N.Edwin Jeyakumar

For Respondents : Mr.V.Shanmugasundar
Special Government Pleader

O R D E R

The prayer sought for in this writ petition is for a direction to the second respondent to issue a No Objection Certificate to the petitioner to run a "SPA" i.e., cross massage in the name and style of "ALLURE DAY SPA" at M/s.Hotel MPS Residential Towers, No.6A, Easwaran Kovil Street (North), Tirupur - 641 601 by passing orders on the petitioner's representation dated 02.11.2020.

2. The petitioner is running a SPA centre in the name and style of "Allure Day Spa" at Tiruppur for the past six months without any room for complaint. While so, the police authorities are very often interfering with the peaceful conduct of the petitioner's business and trying to shut down her business. In the meantime, the petitioner has applied for licence as per the Government Gazette Notification before the concerned authority and also applied for no objection certificate before the local police station. The same were pending before the respondents. Hence, the petitioner has made a representation dated 02.11.2020 to the first respondent requesting to issue No Objection Certificate and also a direction to the local police not to interfere with the petitioner's business. As there was no action, the present writ petition has been filed.

3. Heard the learned counsel appearing on both sides and perused the materials placed before this Court.

4. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the case, directs the respondents to consider the representation of the petitioner dated 02.11.2020, enquire into the same and pass appropriate orders on merits and in accordance with law, after issuing notice to the petitioner and the persons interested in this regard and by affording them an opportunity of personal hearing or virtual hearing or otherwise, considering their written objections and after verifying the relevant documents, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above directions, the writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

-s/d-

सत्यमेव जयते
Assistant Registrar

True Copy

Sub-Assistant Registrar

rsi
To

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

2.The Inspector of Police,
Tiruppur Town,
(South) Police Station,
Tiruppur District.

+1 CC to Mr.N.Edwin Jeyakumar, Advocate sr 41600.

W.P.No.18832 of 2020
and
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VSNI (CO)
SP(11/01/2021)



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