

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2021

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.1167 of 2021

and

WMP No.1308 of 2021

G.N.Nisageethan

...

Petitioner

Vs

1. The Superintendent of Police
Salem, Salem District.

2. The Inspector of Police
Yercaud Police Station
Salem District.

...

Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus to direct 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 "M/s.Biotique Ayurvedic Wellness Center" at Door No.31/519A, Sri Durga Residency, Pakkoda Point Road, Yercaud, Salem District -636 601, by passing orders on his representation dated 15.12.2020.

For petitioner ... Mr.S.Leonard Vasanth,

For respondents ... Mr.V.Shanmuga Sundar
Special Government Pleader

ORDER

Mr.V.Shanmuga Sundar, learned Special Government Pleader takes notice for the respondents. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to issue No Objection Certificate to the petitioner to run a Spa i.e. cross massage in the name and style of "M/s.Biotique Ayurvedic Wellness

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Center" at Door No.31/519A, Sri Durga Residency, Pakkoda Point Road, Yercaud, Salem District -636 601, based on the petitioner's representation dated 15.12.2020.

3. Heard Mr.S.Leonard Vasanth, learned counsel for the petitioner and Mr.V.Shanmuga Sundar, learned Special Government Pleader appearing for the respondents.

4. Mr.V.Shanmuga Sundar, learned Special Government Pleader appearing for the respondents, on instructions, submits that unless and until the petitioner applies for Spa license in accordance with the specified format under the statute, the first respondent will not be able to process the same.

5. The learned counsel for the petitioner on instructions, would submit that the petitioner is willing to apply for Spa Licence in accordance with the specified format.

6. After recording the submissions made by the respective learned counsels, this Court directs the petitioner to apply for Spa License for his Spa at Door No.31/519A, Sri Durga Residency, Pakkoda Point Road, Yercaud, Salem District -636 601 as per the specified format within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said application in the specified format, the first respondent shall consider the same and pass final orders on merits and in accordance with law, within a period of four weeks, thereafter. In the meanwhile, it is made clear that the respondents shall not disturb the petitioner's peaceful possession and enjoyment of his Spa.

With the aforesaid directions, the writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

srn

To

1. The Superintendent of Police
Salem, Salem District.

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Salem District.

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