

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.7512 of 2021
and WMP.No.8030 of 2021

Johnson Kuruvilla

.. Petitioner

-vs-

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

2. The Inspector of Police,
Tiruppur North Police Station,
Tiruppur District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the second respondent to issue a no objection certificate to the petitioner to run a SPA that is cross massage in the name and style of ''Nanban Spa'' at Door No.396 Sabapathypuram, PS Sundaram Road, Tiruppur, Tiruppur district by passing orders on the petitioners representation dated 02.03.2021.

For Petitioner : Mr.S.Leonard Vasanth

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Writ Petition has been filed to direct the 2nd respondent to issue a "No Objection Certificate" to the petitioner in order to enable the petitioner to get the License in accordance with the Official Gazette Notification 252, dated 16.07.2018 and also forbear the 2nd respondent not to unduly interfere with the peaceful conduct of the business i.e., the Cross Massage of ''Nanba Spa'' at Door No.396 Sabapathypuram, PS Sundaram Road, Tiruppur, Tiruppur district.

2. The learned Additional Public Prosecutor, on instructions, submitted that the petitioner is already running a SPA and the police are under the impression that already No Objection was given by the police. If the petitioner has not obtained any "No Objection Certificate", the petitioner can be directed to approach the second respondent and the second respondent will consider the grant of "No Objection

Certificate" to the petitioner.

3. Recording the submission of the learned Additional Public Prosecutor, this Writ Petition is disposed of with a direction to the petitioner to make a representation to the second respondent seeking for "No Objection Certificate" for running the business and the second respondent on receipt of the representation shall consider the same and issue "No Objection Certificate" if he satisfies all the requirements. In the event of "No Objection Certificate" is granted, the respondent police shall not, thereafter interfere with the business of the petitioner, until it is run in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

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

2. The Inspector of Police,
Tiruppur North Police Station,
Tiruppur District.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Leonard Vasanth, Advocate, S.R.No. 18973

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SSD(CO)
GN(16/06/2021)

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