



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)No.11371 of 2021

and

WMP(MD)No.8901 of 2021

WEB COPY

R.Pugalvanthan

... Petitioner

vs.

1.The Inspector of Police,
K.Pudhur Police Station,
Madurai District.

2.The Commissioner of Police,
Madurai City.
(2nd respondent suo motu impleaded
as the second respondent vide
Court Order dated 26.11.2021)

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondent to issue a No Objection Certificate to the petitioner to run a "SPA" ie., "Happiness Welness SPA" at P.No.63, Press Colony, Sambakulam, Mattuthavani Bus Stand Opposite, Madurai by passing orders on the petitioner's representation dated 29.04.2021.

For Petitioner

: Mr.Kasinathadurai

For Respondents

: Mr.T.Senthilkumar,

Additional Public Prosecutor

ORDER

Heard the learned counsel on either side.

2.The petitioner wants to establish a SPA at the petition mentioned premises. The statutory scheme issued by the Government contemplates obtaining of No Objection Certificate from the Commissioner of Police or any officer nominated by him before approaching the local authority for obtaining license. It appears that as far as the Madurai city is concerned, the Commissioner of Police has not delegated the said power to any officer concerned. The petitioner is directed to send a representation to the second respondent. The second respondent shall dispose of the same on merits and in accordance with law within a period of four weeks from the date of such receipt.



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3.This writ petition is disposed of accordingly. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

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// True Copy //

/ /2021

Sub Assistant Registrar(CS)

skm

Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Inspector of Police,
K.Pudhur Police Station,
Madurai District.
- 2.The Commissioner of Police,
Madurai City.

+1 CC to M/s.G.KASINATHA DURAI, Advocate (SR-36322[F] dated 29/11/2021)

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RK(20/12/2021) 2P 4C