



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

W.P.Nos.6648, 6649 & 6650 of 2022

Green Health SPA and Saloon,
Represented by its Proprietor,
Mr.M.Ketan,
S/o. Mithalal Popat Bhai,
Green Health SPA and Saloon,
No.36, 2nd Cross, Bharati Park Road,
Sai Baba Colony,
Coimbatore - 641 011. ... Petitioner in W.P.No.6648 of 2022

Green Health SPA and Saloon,
Represented by its Proprietor,
Mr.M.Ketan,
S/o. Mithalal Popat Bhai,
Green Health SPA and Saloon,
No.57, Ground Floor, Race Course Main Road,
Coimbatore - 641 018. ... Petitioner in W.P.No.6649 of 2022

Green Health SPA and Saloon,
Represented by its Proprietor,
Mr.M.Ketan,
S/o. Mithalal Popat Bhai,
Green Health SPA and Saloon,
No.79 B, 3rd Cross, Bharathi Colony,
Peelamedu,
Coimbatore. ... Petitioner in W.P.No.6650 of 2022

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary,
Home Department,
Fort St.George,
Chennai - 600 009.



to run a "SPA" i.e., cross massage in the name and style of "Green Day Spa" at No.57 Ground floor, Race Course Main Road, Coimbatore - 641 018, by passing orders on petitioner's representation dated 22.09.2021.

WEB COPY

PRAYER in W.P.No.6650 of 2022: Writ Petition filed under Section 226 of Constitution of India, pleased to issue appropriate Writs, orders or direction and in particular issue a Writ in the nature of Mandamus, forbearing the 5th respondent, their men and agents from any way interfering with the petitioner's business of running traditional Health Spa & Ayurveda Massage Center in the name of Green Day Spa at No.79, 3rd Cross, Bharathi Colony, Peelamedu, Coimbatore and consequently direct 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 "Green Day Spa" at No.79, 3rd Cross, Bharathi Colony, Peelamedu, Coimbatore.

In all W.P.'s

For Petitioners : Mr.M.Gnanasekar

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor.

COMMON ORDER

The Writ Petition No.6648 of 2022 has been filed to forbear the 5th respondent, their men and agents from any way interfering with the petitioner's business of running traditional Health Spa & Ayurveda Massage Center in the name of Green Day Spa at No.36, 2nd Cross, Bharathi Park Saibaba Colony, Coimbatore - 641 011 and consequently direct 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 "Green Day Spa" at No.36, 2nd Cross, Bharathi Park Saibaba Colony, Coimbatore - 641 011, by passing orders on petitioner's representation dated 22.09.2021.

2. The Writ Petition No.6649 of 2022 has been filed to forbear the 5th respondent, their men and agents from any way interfering with the petitioner's business of running traditional Health Spa & Ayurveda Massage Center in the name of Green Day Spa at No.57 Ground floor, Race Course Main Road, Coimbatore - 641 018 and consequently direct the 2nd respondent to issue a No Objection Certificate to the Petitioner to run a



"SPA" i.e., cross message in the name and style of "Green Day Spa" at No.57 Ground floor, Race Course Main Road, Coimbatore - 641 018, by passing orders on petitioner's representation dated 22.09.2021.

WEB COPY

3. The Writ Petition No.6650 of 2022 has been filed to forbear the 5th respondent, their men and agents from any way interfering with the petitioner's business of running traditional Health Spa & Ayurveda Massage Center in the name of Green Day Spa at No.79, 3rd Cross, Bharathi Colony, Peelamedu, Coimbatore and consequently direct the 2nd respondent to issue a No Objection Certificate to the Petitioner to run a "SPA" i.e., cross message in the name and style of "Green Day Spa" at No.79, 3rd Cross, Bharathi Colony, Peelamedu, Coimbatore, by passing orders on petitioner's representation dated 22.09.2021.

4. Learned counsel appearing for the petitioners in all W.P.'s would submit that the petitioners are running traditional Health Spa & Ayurveda Massage Center in the name of Green Day Spa, as per standard prescribed to run a traditional Health Spa & Ayurveda Massage Center. He would further submit that the petitioners allege harassment at the hands of the respondents. The petitioners have obtained license and have employed qualified therapists. In similar cases, this Court issued a number of orders forbearing the respondents from conducting any raid or interfering with the business carried on by the petitioner on routine basis without any justification.

5. Learned Additional Public Prosecutor appearing for the respondents would submit that the petitioners are already running a SPA and the Police are under the impression that already No Objection Certificate was given by the Police. If the petitioners have not obtained any "No Objection Certificate", the petitioners can be directed to approach the 5th respondent and the 5th respondent will consider the grant of "No Objection Certificate" to the petitioners.

6. Heard the learned counsel and perused the materials available on record.

7. Recording the above submission, this Court is of the opinion that so long as the petitioners do not indulge in any illegal or unlawful activity, the respondents shall not interfere with the petitioners' running of the business mentioned in this petition and a direction is issued to the petitioners to make a representation to the 5th respondent seeking "No Objection Certificate" for running the business and



the 5th respondent, on receipt of the representation, shall consider the same, and issue "No Objection Certificate", if the petitioners satisfy all the requirements. In the event of "No Objection Certificate" is granted, the respondents shall not, thereafter interfere with the business of the petitioners, until it is run in accordance with law.

8. Accordingly, these Writ Petitions are disposed of. No costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

rgi/ham
To

1. The Secretary,
State of Tamil Nadu,
Home Department,
Fort St. George,
Chennai - 600 009.
2. The Commissioner of Police (L&O),
Coimbatore City,
Upplipalayam,
Coimbatore - 641 018.
3. The Deputy Commissioner of Police (Centre) (L&O),
O/o. Commissioner of Police,
Upplipalayam,
Coimbatore - 641 018.
4. The Assistant Commissioner of Police, (L&O),
Saibaba Colony Range,
Sathy Rd, ATT Colony,
Gopalapuram,
Gandhipuram,
Coimbatore - 641 044.
5. The Inspector of Police (L&O),
C-3, Saibaba Colony Police Station,
Mettupalayam Road,
Saibaba Koil,
Coimbatore - 641 043.



6. The Public Prosecutor,
High Court of Madras.

WEB COPY

+3cc to Mr.M.Gnanasekar, Advocate Sr.19802, 19803, 19804

W.P.Nos.6648, 6649 & 6650 of 2022

gpl[col]
srg 05/04/2022