



WP.No.26294 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.10.2022

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THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.26294 of 2022

Mr.R.P. Annamalai

.. Petitioner

Vs

1. The Commissioner of Police,
Tambaram Police Commissioner,
Tambaram, Chennai 600 045.
2. The Deputy Commissioner of Police,
Tambaram, Chennai 600 045
3. The Inspector of Police,
Talampur Police Station,
Talampur OMR, Chennai 600 103.
4. The Inspector of Police,
Anti-Vice Squad,
Tambaram Police Commissioner Office
Wing, Sholinganallur, OMR,
Chennai 600 119.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, (i) directing the third respondent to consider petitioner's representation dated 07.09.2022 regarding to issue a No Objection Certificate to run petitioner clinic, "Sri Ayurdhara



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Wellness Clinic & Pharmacy' at 1/35, First Floor Pillayar Koil Street, Mullai Nagar, Talampur Main Road, Talampur, Chengalpattu District, Tamil Nadu 603 103 its customers and patient including the facilities provided for ayurvedic treatment including massage thereaphy or Spa (ii) to direct the third respondent not to interfere in petitioner's clinic business activities and don't do nefarious activities in his clinic premises and his customers and patients including the facilities provided for ayurvedic treatment including massage theraphy or Spa.

For Petitioner : Mr. T. Premkumar

For Respondents : Mr. E. Raj Thilak
Addl. Public Prosecutor

ORDER

This writ petition has been filed in the nature of Mandamus, seeking a direction to consider petitioner's representation dated 07.09.2022 seeking No Objection Certificate to run his clinic and to direct the third respondent not to interfere with the business activities of the clinic run by the petitioner .

2. According to the petitioner, he has been running a wellness clinic



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under the name and style of Sri Ayurdhara Wellness Clinic & Pharmacy for the past one year. As per the Gazette Notification No.252, dated 16.07.2018 as per amended schedule VI of the Chennai City Municipal Corporation Act, for running a SPA or massage centre, it is necessary to obtain licence from the authority concerned and for obtaining such licence, the petitioner has to get No Objection Certificate from the concerned police officials, hence he applied for No Objection Certificate to the Inspector of Police as well as to Commissioner of Police, and the same is still pending for consideration. Whiles, the 3rd and 4th respondent, on instructions from the first and second respondents are visiting the clinic run by the petitioner and warned him not to allow the customer or patient of the clinic for treatment, despite the explanation offered to the respondents that there was no illegal activities carried on in his clinic, thereby they are interfering with the business activities of the clinic. Having regard to the same, the petitioner sent a representation dated 07.09.2022 to the respondent police seeking to issue No Objection Certificate enabling him to get Chennai Corporation's Trade License. But, the respondents did not take any action against such representation, the petitioner has come forward with the present writ petition for the aforesaid reliefs.



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3. When the matter was taken up for hearing, the learned Additional Public Prosecutor appearing for the respondent police submitted that the representation of the petitioner dated 07.09.2022 is pending for consideration with the 3rd respondent Inspector of Police

4. Recording the submission of the learned Addl. Public Prosecutor, the 3rd respondent is directed to consider the representation of the petitioner dated 7.09.2022 and take suitable action upon such representation on merits and in accordance with law within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition stands disposed of. No costs.

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Index : Yes / No
Internet : Yes/ No
msr

To

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V. SIVAGNANAM, J.



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