



WEB COPY



W.P.No.25998 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.09.2022

CORAM:

THE HONOURABLE MR. JUSTICE **V.SIVAGNANAM**

W.P.No.25998 of 2022
and WMP.No.25094 of 2022

Saneesh.S

... Petitioner

Vs

1. The Commissioner of Police
Coimbatore,
Coimbatore District.

2. The Inspector of Police
B-3 Kattoor Police Station,
Coimbatore
Coimbatore District.

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the 1st respondent to issue a No Objection Certificate to the petitioner to run a SPA i.e., cross relaxation massage in the name and style of "PEBBLE SPA" at Hotel SPS Grand INN, No.127, Gokhala Street, Ram Nagar, Coimbatore, Coimbatore District by passing orders on the petitioner's representation dated 09.09.2022.



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For Petitioner : Mr.Leonard Vasanth

For Respondents : Mr.S.Santhosh
Govt.Advocate (Crl.side)

ORDER

This Writ Petition has been filed to direct the 1st respondent to issue a No Objection Certificate to the petitioner to run a SPA i.e., cross relaxation massage in the name and style of "PEBBLE SPA" at Hotel SPS Grand INN, No.127, Gokhala Street, Ram Nagar, Coimbatore, Coimbatore District by passing orders on the petitioner's representation dated 09.09.2022.

2. The case of the petitioner is that he is running a SPA Centre ie., cross massage in the name and style of "PEBBLE SPA" at Hotel S.P.S Grand Inn No.127, Gokhala Street, Ram Nagar, Coimbatore, Coimbatore District for the past one year without any complaint. As per the Gazatte Notification he has applied for license before the first respondent on 02.09.2022 and the same is pending. Further the 1st and 2nd respondent Police and their men cannot interfere in his business pending of license application. However, the petitioner



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made a representation dated 09.09.2022 directly before the 1st respondent about the Police interference, despite of which the Police is interfering his premises without any authority of law and his application for No Objection Certificate is pending before the first respondent. Since there was no response, the petitioner has filed the present writ petition.

3. The learned Counsel appearing for the petitioner submitted that the first respondent may be directed to consider the petitioner's representation dated 09.09.2022 to issue a No Objection Certificate to run a SPA i.e., cross relaxation massage in the name and style of "PEBBLE SPA" at Hotel SPS Grand INN, No.127, Gokhala Street, Ram Nagar, Coimbatore, Coimbatore District.

4. The learned Government Advocate (Crl.Side) submitted that the respondent police has considered the petitioner's representation dated 09.09.2022 and sought to provide certain documents and particulars from the petitioner but the petitioner failed to produce the same. Hence the application is pending before the respondent police.



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5. Recording the same, the petitioner is hereby directed to provide the required particulars sought by the respondent police and the first respondent police is directed to consider the petitioner's representation, dated 09.09.2022, on merits and in accordance with law, within a period of four weeks, from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs. Consequently connected miscellaneous petition is also closed.

27.09.2022

Internet: Yes
Speaking/Non speaking order
dpq



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To

1. The Commissioner of Police
Coimbatore,
Coimbatore District.
2. The Inspector of Police
B-3 Kattoor Police Station,
Coimbatore
Coimbatore District.
3. The Public Prosecutor,
High Court of Madras.



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V. SIVAGNANAM, J.
dpq

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