



W.P.No.26367 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2022

CORAM:

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.No.26367 of 2022 and
WMP No.25440 of 2022

S.Manimaran

... Petitioner

Vs.

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

2. The Inspector of Police,
Saravanam Patti Police Station,
Coimbatore District.

...Respondents

Writ petition is filed under Section 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to issue No Objection Certificate to the petitioner to run a “SPA” i.e., cross relaxation massage in the name and style of “NEYA HEALING AND SPA CENTRE SPA” at door No.277/1, Sathy Road, Vellai Thottam, Ganapathy, Coimbatore District, by passing order on petitioners representation dated 15.06.2022.

For petitioner

: Mr.Leonard Vasanth

For Respondents

: Mr.E.Raj Thilak,
Additional Public Prosecutor



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ORDER

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This Writ Petition has been preferred to direct the 1st respondent to issue No Objection Certificate to the petitioner to run a “SPA” in the name and style “NEYA HEALING AND SPA CENTRE SPA” at door No.277/1, Sathy Road, Vellai Thottam, Ganapathy, Coimbatore District, by considering representation made by the petitioner, dated 15.06.2022.

2. The petitioner is a qualified and trained therapist who is giving massage therapy to people coming to his centre. There is no immoral activities conducted in the petitioner's premises. However, the respondent authorities frequently inspect the said premises and interfere with his business. The petitioner has applied for license before the 1st respondent on 10.03.2022. Since the said license application is pending, he has made a representation on 15.06.2022 directly to the 1st respondent not to interfere with his business activities. However, no steps have been taken on his representation. Hence, this Writ Petition.



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WEB COPY 3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4. The learned Additional Public Prosecutor appearing for the respondents would submit that the petitioner is already running a SPA and the Police are under the impression that No Objection Certificate has already been given. If he does not has no objection certificate to run the SPA, he can directly approach the 2nd respondent for grant of “No Objection Certificate” and the same will be considered.

5. Recording the above submission made by the learned Additional Public Prosecutor, this Writ Petition is allowed with the direction to the petitioner to make fresh representation seeking “No Objection Certificate” for running the SPA mentioned in this petition. On receipt of such representation being filed, the 2nd respondent Police shall consider the same and issue “No Objection Certificate” if the petitioner satisfies all the requirements. In the event of granting “No objection Certificate”, the



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respondents Police shall not interfere with the business activities unless the petitioner's SPA involves in illegal activities. Consequently, connected miscellaneous petition is closed.

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Index:yes/No

Speaking order / Non speaking order

To

1. The Commissioner of Police,
Coimbatore,
Coimbatore District.
2. The Inspector of Police,
Saravanam Patti Police Station,
Coimbatore District.
3. The Public Prosecutor,
Madras High Court,
Chennai.

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