



W.P. No. 31602 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2022

Coram

The HONOURABLE Ms. JUSTICE R.N.MANJULA

W.P. No. 31602 of 2022
and W.M.P. No.31055 of 2022

N.Karthikeyan

... Petitioner

Vs.

1. The Superintendent of Police,
Erode
Erode District.

2. The Inspector of Police,
Surampatti Police Station,
Erode, Erode District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to issue No objection Certificate to the petitioner to run a SPA i.e. cross relaxation massage in the name and style of "ORANGE COLOR WELLNESS SPA" at Door No.9/15, (opp) Suda Hospital, Perunthurai Road, Erode, Erode District by passing orders on the petitioner's representation dated 14.11.2022.



W.P. No. 31602 of 2022

For Petitioner : Mr. Leonard Vasanth
For Respondents : Mr. S.Santhosh
Government Advocate (Crl.side)

ORDER

This Writ Petition has been filed for the issuance of a writ of mandamus directing the first respondent to issue No objection Certificate to the petitioner to run a SPA i.e. cross relaxation massage in the name and style of “ORANGE COLOR WELLNESS SPA” at Door No.9/15, (opp) Suda Hospital, Perunthurai Road, Erode, Erode District by passing orders on the petitioner's representation dated 14.11.2022.

2. The learned counsel for the petitioner submitted that the petitioner had given a representation dated 14.11.2022 seeking 'No objection' to run a SPA in the name and style of “ “ORANGE COLOR WELLNESS SPA” at Door No.9/15, (opp) Suda Hospital, Perunthurai Road, Erode, Erode District; the said SPA is going to be involved in 'Cross relaxation massage' which is not prohibited by the Government and the Government issued Gazette Notification 252, dated 16.07.2018 as amended schedule VI of the Chennai City Municipal Corporation Act; this Court had also issued directions in similar such cases in



W.P. No. 31602 of 2022

W.P. No.34401 & 34624 of 2014 and W.P. No.15866 of 2013; hence a direction should be issued to the second respondent to consider the petitioner's representation dated 14.11.2022.

3. The learned Government Advocate (Crl.side) appearing for the respondents submitted that if short time is granted, the second respondent shall consider the representation given by the petitioner and pass appropriate orders.

4. In view of the undertaking given by the learned Government Advocate, the second respondent is directed to consider the representation of the petitioner dated 14.11.2022 and pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

5. Accordingly, the Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed.

25.11.2022

Index: Yes/No

Speaking order / Non-speaking order

uma



WEB COPY



W.P. No. 31602 of 2022

R.N.MANJULA, J.,

uma

To:

1. The Superintendent of Police,
Erode
Erode District.
2. The Inspector of Police,
Surampatti Police Station,
Erode, Erode District.
3. The Public Prosecutor,
Madras High Court.

W.P. No. 31602 of 2022 and
W.M.P No.31055 of 2022

25.11.2022