



W.P(MD)No.13504 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD) No.13504 of 2023

Subramanian.S.P

... Petitioner

Vs.

1. The Commissioner of Police,
Tirunelveli City,
Tirunelveli District,
Tirunelveli- 627 002.

2. The Inspector of Police (Law and Order),
Palayamkottai Police Station,
Palayamkottai,
Tirunelveli District.

3. The Commissioner,
Tirunelveli City,
Tirunelveli,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to issue suitable direction to the 2nd Respondent to issue No Objection Certificate to the petitioner for carrying on his business under the name and style of Feel Unisex Salon and Spa at Shop Nos. 9H/31, 9H/32 and 9H/33 situated at Ward No.20, Gowsanal Complex, 1st Floor,



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North High Ground Road, Palayamkottai, Tirunelveli, Tirunelveli District in pursuance of his application and enclosures as submitted on 08.12.2022 forthwith.

For Petitioner : Mr. Palani Velayutham.S
For R1 and R2 : Mr.B.Nambiselvan
Additional Public Prosecutor
For R3 : Mrs.M.Anitha

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the 1st respondent to issue suitable direction to the 2nd Respondent to issue No Objection Certificate to the petitioner for carrying on his business under the name and style of Feel Unisex Salon and Spa at Shop Nos. 9H/31, 9H/32 and 9H/33 situated at Ward No.20, Gowsanal Complex, 1st Floor, North High Ground Road, Palayamkottai, Tirunelveli, Tirunelveli District in pursuance of his application and enclosures as submitted on 08.12.2022 forthwith.



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2. The learned counsel for the third respondent would submit that the representation that was made by the petitioner is pending consideration, since no objection certificate has not been received so far from the second respondent.

3. The learned Additional Public Prosecutor would submit that the request that was given by the petitioner was not considered and no objection certificate was not issued so far.

4. According to the learned counsel for the petitioner, the final authority to issue license is the third respondent and the recommendation has been simply forwarded by the second respondent to the third respondent.

5. The second respondent is directed to consider the representation that was made by the petitioner by visiting the place and after ascertaining the ground situation, send a recommendation to the third respondent within a period of fifteen days from the date of receipt of copy of this order. After receiving the above said recommendation from the second respondent, the third respondent is directed to dispose the



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same on its own merits within fifteen days thereafter.

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6. With the above said directions, this writ petition stands disposed of.

09.06.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/ No

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To

1. The Commissioner of Police,
Tirunelveli City,
Tirunelveli District,
Tirunelveli- 627 002.
2. The Inspector of Police (Law and Order),
Palayamkottai Police Station,
Palayamkottai,
Tirunelveli District.
3. The Commissioner,
Tirunelveli City,
Tirunelveli,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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G.ILANGO VAN,J

Indu

Order made in
W.P(MD)No.13504 of 2023

Dated : 09.06.2023