



W.P(MD)No.15106 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:27.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.15106 of 2023

B.S.Bagath

... Petitioner

Vs.

1.The Superintendent of Police,
Tenkasi District,
Tenkasi.

2.The Inspector of Police,
Shenkottai Police Station,
Tenkasi 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 respondents to consider the petitioner representation dated 02.06.2023.

For Petitioner : Mr.M.Rajarajan

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

The writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the respondents to consider the petitioner



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representation dated 02.06.2023.

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2.The facts in brief:

The petitioner is running a massage centre in the name and style of “Boomi Ayurvedic Centre” for the past eight years in Kerala. Now, he entered rental agreement in respect of a property in Tenkasi District, for running a SPA in the above said name. For which, he has applied for No Objection Certificate on 02.06.2023. He has not indulged any criminal activities. Since the above said representation was not considered till date, he has filed this writ petition.

3.Heard both sides.

4.Perusal of records shows that the So far no permission or licence has been obtained from the competent authorities for running the above said SPA. So proper licence must be obtained from the concerned authority.

5.When similar situation arose before this Court, in the case of ***Masti Health and Beauty Private Limited Vs. The Commissioner of***



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Police, Chennai City, reported in *Manu/TN/3048/2014*, direction was issued by the Principal Seat to the concerned authorities to frame proper Rules for registering the SPAs, entertainment clubs, etc.,. In pursuance of the above said directions, the Madras City Corporation has formulated Rules. It was also published in the Tamil Nadu Government Gazette as “*GREATER CHENNAI CORPORATION, REVENUE DEPARTMENT, Inclusion of Beauty Parlour, SPA and Massage Parlours in Schedule – VI for Trade Licence (Under Section 373 of the Chennai City Municipal Corporation Act, 1919) (R.D.C.No.TL/7630/2013) No.SRO-C.2/2019*”. The learned Additional Public Prosecutor would submit that above said Rules applied throughout Tamil Nadu, wherever Municipal Corporations are functioning. In view of the above said Rules, it is the duty of the petitioner to get the SPA properly licences.

6.Let the petitioner file proper application before the concerned City Municipal Corporation, within a week from the date of receipt of a copy of this order. On such receipt of the application, the concerned authority shall consider the same and dispose of it on its own merits and in accordance with law, within a period of **fifteen days** from the date of receipt of the application from the petitioner.



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

of. No costs.

27.06.2023

NCC : Yes/No

Index : Yes/No

Internet : Yes/ No

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To

1. The Superintendent of Police,
Tenkasi District,
Tenkasi.
2. The Inspector of Police,
Shenkottai Police Station,
Tenkasi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA, J

TM

Order made in
W.P(MD)No.15106 of 2023

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