



W.P(MD)No.18958 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:04.08.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.18958 of 2023

Miss.Margaret Divya,
D/o. Emmanuel,
No.31A, Plot E, Baba Villa 1st Street,
VOC Nagar, New Colony,
Anna Nagar East,
Chennai.

... Petitioner

Vs.

- 1.The Commissioner of Police,
Trichy City.
- 2.The Deputy Commissioner of Police,
Cantonment Trichy.
- 3.The Inspector of Police,
Cantonment Police Station,
Trichy.
- 4.The Inspector of Police,
All Women Police Station,
Trichy.

... 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 3 and 4 their men and agents from interfering with the



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peaceful conduct of business i.e. cross massage in the name and style of M/s Glow and Grow Studio (Lotus Bali Spa) situated at 4th floor Hotel High Point Cantonment, Trichy, by considering the representation given by the petitioner dated 25.07.2023.

For Petitioner : Mr.G.Sethu Surendhar
For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl. Side)

ORDER

The writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the respondents 3 and 4 their men and agents from interfering with the peaceful conduct of business i.e. cross massage in the name and style of M/s Glow and Grow Studio (Lotus Bali Spa) situated at 4th floor Hotel High Point Cantonment, Trichy, by considering the representation given by the petitioner dated 25.07.2023.

2.The facts in brief:

The petitioner is running a SPA in the name and style of M/s Glow and Grow Studio (Lotus Bali SPA) as mentioned in the petition and licence was duly granted by Commissioner, Trichy Corporation on 01.06.2022. The SPA is doing business in a lawful manner. No case has



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been registered so far. But the respondents interfering with the business.

Now, she made a representation to the respondent on 25.07.2023. Since the above said representation was not properly considered, this petition has been filed.

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 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***,



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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 licenced.

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.

7.With the above said directions, this writ petition stands disposed of. No costs.

04.08.2023

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



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To

WEB COPY

- 1.The Commissioner of Police,
Trichy City.
- 2.The Deputy Commissioner of Police,
Cantonment Trichy.
- 3.The Inspector of Police,
Cantonment Police Station,
Trichy.
- 4.The Inspector of Police,
All Women Police Station,
Trichy.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J

TM

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