



W.P.(MD)No.22768 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.22768 of 2023

S.Yuvaraj

... Petitioner

Vs

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
K.Pudur Police Station,
Madurai City.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to issue a No Objection Certificate for running a Green Spa and Beauty Care, situated at No. 7/1 2nd Floor, Hotel Srinidhi, Madurai-Melur Main Road, Mattuthavani, Madurai City, by considering the petitioner's representation, dated 07.09.2023.

For Petitioner : Mr.V.Ramalingam

For Respondents : Mr.SS.Madhavan,
Government Advocate (Criminal Side)

ORDER

This Writ Petition is filed under Article 226 of the Constitution of India seeking for a direction to the respondent Police to issue a No Objection Certificate to the petitioner for running a Green Spa and Beauty Care, situated at



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No.7/1 2nd Floor, Hotel Srinidhi, Madurai-Melur Main Road, Mattuthavani,
Madurai City, by considering the petitioner's representation, dated 07.09.2023.

2. It is submitted by the learned counsel for the petitioner that earlier the petitioner has filed similar application in W.P.(MD).No.21438 of 2023 and the same was withdrawn with liberty to file a fresh application as the petitioner could not enclose the lease deed with the owner were the petitioner is proposing to start the Spa. It is submitted that now the petitioner has enclosed all the documents required including the lease deed. It is also submitted that the petitioner has registered the Spa under GST and also approached the Municipal Authorities for getting permission to run the Spa. The petitioner has also filed a Notification issued by the Revenue Department in respect of the procedure to be followed for opening of a Spa. It is submitted that in respect of the request made by the petitioner to the second respondent Police for grant of No Objection Certificate, the application is still pending and not being considered.

3. Learned Government Advocate (Criminal Side), on the other hand, submits that, the petitioner after fulfilling all the requirements including getting a permission from the Municipal authorities and if the requirements are made as per the Notification issued by the Government, dated 27.02.2019, the respondent Police would give the No Objection Certificate.



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4. Considering the submissions made by both sides and on perusal of records, this writ petition is disposed of, directing the respondent Police to give No Objection Certificate on fulfilling all the requirements including the clearance from the Municipal Authorities. No costs.

20.09.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg

To

- 1.The Commissioner of Police,
Madurai City, Madurai.
- 2.The Inspector of Police,
K.Pudur Police Station,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN, J.

tsg

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