



WEB COPY



W.P.No.13053 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :09.05.2024

CORAM

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.P.No.13053 of 2024 and
W.M.P.No.14217 of 2024

Eswaran

... Petitioner

Vs.

1.The Senior Revenue Officer,
Establishment
(Licensing Authority for SPA & SALOON)
Ripon Building,
Greater Chennai Corporation Office,
Chennai 600 003.

2.The Inspector of Police,
K-4, Anna Nagar Police Station,
Chennai 600 040.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to forbear the second respondent, his men, officers from interfering with the petitioner's business activities at 'SPA INFLUENCE & SALOON', being carried out at No.36 (28), 1st Avenue Road, Anna Nagar, Chennai 600 102 and further direct the 1st respondent to grant license to the petitioner based on his application dated 30.04.2024 within the stipulated period of time.



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For Petitioner : Mr.Arun Anbumani for
Mr.P.Rajkumar Pandian
For Respondents : Mr.D.B.R.Prabhu for R1
Mr.L.Baskaran, GA for R2

ORDER

This Writ Petition has been filed for the issuance of a Writ of Mandamus, to forbear the second respondent, his men, officers from interfering with the petitioner's business activities at 'SPA INFLUENCE & SALOON', being carried out at No.36 (28), 1st Avenue Road, Anna Nagar, Chennai 600 102 and further direct the 1st respondent to grant license to the petitioner based on his application dated 30.04.2024 within the stipulated period of time.

2.The petitioner is running the business of spa and saloon under the name and style of 'Spa Influence & Saloon'. The first respondent is the licensing authority for the said business and the second respondent is the jurisdictional police officer. The said business has been running in the said place for several years. Prior to the year 2019, there was no provision to obtain license for running the spa. During the year 2019, the



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State Government issued notification vide No.SRO-C-2/2019 regarding license procedure for running spa centres and made certain regulations in respect of the same. Mr.Rajasekaran, the former business owner, who was running the said business earlier, had applied for the grant of license before the first respondent on 25.01.2024 and his application has not been disposed of for more than three months. During the month of April 2024, the petitioner herein had purchased the said business for valuable consideration and thereafter, he approached the first respondent for issuance of license, who in turn instructed the petitioner to make fresh application. Thereby, the petitioner herein had filed an application before the first respondent on 30.04.2024 seeking license in respect of his business.

3. It is not disputed by the learned counsel for the respective respondents that the petitioner had filed an application on 30.04.2024 seeking license in respect of his business and the same is pending with the first respondent.



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4.Heard, Mr.Arun Anbumani, learned counsel for the petitioner, Mr.D.B.R.Prabhu, learned counsel for the first respondent and Mr.L.Baskaran, learned Government Advocate (crl.side) for the second respondent.

5.In view of the pendency of the said application, the first respondent is directed to process the same and pass appropriate orders within a period of four weeks from today. The second respondent shall also issue necessary No Objection Certificate as per law within a period of two weeks thereafter. In the meantime, the second respondent shall not take any coercive action against the petitioner unless or otherwise the said business is being carried out in violation of any law.

6.With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes /No
Speaking / Non-speaking
Neutral Citation : Yes / No
vkr

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K. KUMARESH BABU, J.

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