



W.P.No.31829 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2024

CORAM :

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.31829 of 2024

R.Radha

...Petitioner

Vs.

1. The Commissioner of Corporation,
Erode Corporation, Erode.
2. The Superintendent of Police,
Erode.
3. The Inspector of Police,
South Police Station,
Surampatti, Erode.

...Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the 2nd respondent to issue No Objection Certificate and pursuant to the same further directions may be issued to the 1st respondent to grant Trade License in favour of the petitioner to run the business of Massage Parlour SPA, including the service of cross massage in the name and style of “M/s. Careplus Ayurveda Herbal SPA” at The Grand International Hotel, No.61, Gandhiji Road, Marapalam, Erode by considering the petitioner's representation dated 23.09.2024.



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For Petitioner : Mr.J.Ranjithkumar

For Respondents : Mr.LSM.Hasan Fizal, AGP, for R1
: Mr.L.Baskaran, GA(Crl. Side), for R2 & R3

ORDER

The petitioner has filed this Writ petition seeking direction to the 2nd respondent to issue No Objection Certificate (in short 'NOC') and further direct the 1st respondent to grant Trade License in favour of the petitioner to run the business of Massage Parlour SPA, including the service of cross massage in the name and style of “M/s. Careplus Ayurveda Herbal SPA” at The Grand International Hotel, No.61, Gandhiji Road, Marapalam, Erode, by considering the petitioner's representation dated 23.09.2024.

2. Mr.LSM.Hasan Fizal, learned Additional Government Pleader takes notice on behalf of the 1st respondent, Mr.L.Baskaran, learned Government Advocate (Crl. Side) takes notice on behalf of the 2nd and 3rd respondents. In view of the consent expressed by the learned counsel on either side, this Writ petition is taken up for final disposal at the admission stage itself.



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3. The case of the petitioner is that, the petitioner with an intent to start a SPA in the name and style of M/a. Careplus Ayurveda Herbal SPA at the Grand International Hotel to provide massage services including cross massage to the clients, approached the 1st respondent and gave a representation dated 23.09.2024 seeking to grant Trade License in her favour and to consequently issue NOC for conducting SPA and she also made a representation dated 23.09.2024 before the 2nd and 3rd respondents, seeking issuance of NOC in her favour. However, till date, no orders have been passed on the said representation. Hence, this Writ petition.

4. Though very many grounds have been raised, the learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the 2nd respondent to issue NOC to conduct SPA and to further direct the 1st respondent to grant Trade License in favour of the petitioner to run the business of Massage Parlour SPA, including the service of cross massage in the name and style of “M/s. Careplus Ayurveda Herbal SPA” at The Grand International Hotel, No.61, Gandhiji Road, Marapalam, Erode as expeditiously as possible, by considering her representation dated



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5. Learned counsel appearing on behalf of the respective respondents submitted that, appropriate orders will be passed on the petitioner's representation dated 23.09.2024 within the time stipulated by this Court.

6. In view of the aforesaid submissions, this Court without going into the merits of the case, directs the 1st and 2nd respondents to consider the petitioner's representation dated 23.09.2024 on merits and in accordance with law and issue No Objection Certificate and Trade License in favour of the petitioner within a period of eight weeks from the date of receipt of a copy of this order, if the petitioner satisfies all the requirements. In the event of NOC being granted in favour of the petitioner, the respondents shall not thereafter interfere with the petitioner's business, until it is run in accordance with law.

7. With the above directions, this Writ Petition stands disposed of. No costs.

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skt

NCC : Yes/No

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Index : Yes/No
Speaking Order : Yes/No

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