



WP(MD) No.3630 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2024

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.(MD) No.3630 of 2024

and

W.M.P.(MD).No.3568 of 2024

K.S.Manishmon

... Petitioner

/vs./

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

2.The Inspector of Police,
B-1 Theni Police Station,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first Respondent to issue a No Objection Certificate to the Petitioner to run a SPA i.e cross relaxation massage in the name and style of "Wellness Spa" at (Hotel Theni International), Room No. 115 & 116 (Near Old Bus Stand), Madurai Road, Theni District, by passing orders on the Petitioner's representation dated 03.02.2024.

For Petitioner : Mr.Leonard Vasanth

For Respondents : Mr.T.SenthilKumar
Additional Public Prosecutor



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ORDER

This Writ Petition had been filed for Writ of Mandamus, seeking direction against the first Respondent to issue a No Objection Certificate to the Petitioner to run a SPA i.e cross relaxation massage in the name and style of "Wellness Spa" at (Hotel Theni International), Room No.115 & 116 (Near Old Bus Stand), Madurai Road, Theni District, by passing orders on the Petitioner's representation dated 03.02.2024.

2. The learned Counsel for the Petitioner submits that the Petitioner had preferred a representation dated 03.02.2024 to the first Respondent. Till date, the Respondent Police have not acted upon. Therefore, the Petitioner seeks direction against the Respondents, to grant permission.

3. The learned Additional Public Prosecutor on instructions of the Respondents would submit that as per the amendment under Tamil Nadu Urban Local Bodies Rules, 2023, Rule 299, petition of this nature has to be sent to the Municipal Commissioner, who is to set up a Committee. The Petitioner has to file proper petition under Rule 299 of the above said Rule. He would further submit that the Petitioner without filing any such application before the Municipal



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Commissioner, straightaway approached this Court. Hence, he prays this Court to give direction to the Petitioner to file appropriate Petition as per Rule 299 of the Tamil Nadu Urban Local Bodies Rules, 2023.

4. In the light of the submission made by the learned Additional Public Prosecutor, the Petitioner is directed to file an application as per Rule 299 of the Tamil Nadu Urban Local Bodies Rules, 2023. On such Petition preferred by the Petitioner, the Authorities concerned are directed to dispose of the petition within a reasonable time, preferably within a period of two (2) months from the date of receipt of such petition.

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

19.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Nsr



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Theni,
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B-1 Theni Police Station,
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SATHI KUMAR SUKUMARA KURUP, J.

Nsr

Order made in
W.P.(MD)No.3630 of 2024

Dated:
19.02.2024