



W.P.(MD)No.16200 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:07.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.16200 of 2022

Shajahan.S

... Petitioner

Vs.

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

2.The Inspector of Police,,
Aaralvaimozhi Police Station,
Kanyakumari District.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 2nd respondent, dated Nil, and the same was communicated to the petitioner on 07.04.2022 and set aside the same and consequently directing the 2nd respondent to issue a no objection certificate and permission to the petitioner to run a Ayurvedhic SPA at Door No.7/93, A-1, Aaralvaimozhi, Kanyakumari District.



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For Petitioner : Mr.Jegadeesha Pandian.V.M
For R1 and R2 : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This Writ Petition has been filed challenging the impugned order passed by the 2nd respondent, dated Nil, and the same was communicated to the petitioner on 07.04.2022 and set aside the same and consequently directing the 2nd respondent to issue a no objection certificate and permission to the petitioner to run a Ayurvedhic SPA at Door No.7/93, A-1, Aaralvaimozhi, Kanyakumari District.

2. The learned counsel appearing for the petitioner submits that the petitioner made an application to grant permission to conduct the Ayurvedhic SPA at Door No.7/93, A-1, Aaralvaimozhi, Kanyakumari District and the said application was rejected by the second respondent Police, dated Nil. Challenging the same, the present Writ Petition has been filed.



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3. The learned counsel for the petitioner would submit that though the rejection order was passed in the year 2022, however, the same situation does not continue for two years. He further submits that it would suffice if this Court permits the petitioner to make a fresh application to the second respondent and directs the second respondent to consider the same and pass appropriate orders in terms of the circular issued by the Director General of Police, Tamil Nadu, dated 22.01.2022, without referring the earlier rejection order.

4. The learned Additional Public Prosecutor appearing for the respondents Police submits that the petitioner's application was rejected on the ground that there is a chance for arising law and order problem.

5. Considering the limited request made by the learned counsel appearing for the petitioner, this Court, without interfering with the impugned order passed by the second respondent, directs the petitioner to make a fresh application before the second respondent and on such application being made, the first respondent is directed to



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consider the same and pass appropriate orders following the circular issued by the Director General of Police, Tamil Nadu, dated 22.01.2022, within a period of four weeks from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition is disposed of. No costs.

07.02.2024

Indu
NCC:Yes/No
Index:Yes/No
Internet:Yes/No



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To:

- 1.The Superintendent of Police,
Kanyakumari District,
Kanyakumari.
- 2.The Inspector of Police,,
Aaralvaimozhi Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI,J.

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