



W.P.(MD)No.20784 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.20784 of 2024

Chidambaram

... Petitioner

Vs

1. The District Collector,
Tenkasi District.

2. The Executive Officer,
Special Grade Town Panchayat,
Courtallam, Tenkasi District.

3. The Superintendent of Police,
Tenkasi District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 2nd respondent to grant license to the petitioner after getting a no objection certificate from the 3rd respondent under Rule 299 of the Tamil Nadu Urban Local Bodies Rules to run spa/massage Centre at Saaral Resorts and Hotels Pvt. Ltd., at Courtallam, Tenkasi District by considering his application received by the 2nd respondent on 27.09.2022, 15.02.2024 and 19.07.2024 within a time frame.



W.P.(MD)No.20784 of 2024

For Petitioner : Mr. D.Venkatesh
For respondents : Mr.D.Sadiq Raja (R1)
Additional Government Pleader
Mr.Sundarapandian (R2)
Mr.M.Vaikkam Karunanithi (R3)
Government Advocate (Crl.Side)

ORDER

This Writ Petition has been filed seeking a direction to the 2nd respondent to grant license to the petitioner after getting a no objection certificate from the 3rd respondent under Rule 299 of the Tamil Nadu Urban Local Bodies Rules to run Spa/Massage Centre at Saaral Resorts and Hotels Pvt. Ltd., at Courtallam, Tenkasi District by considering his application received by the 2nd respondent.

2.Heard Mr.D.Venkatesh, learned counsel appearing for the petitioner, Mr.D.Sadiq Raja, learned Additional Government Pleader appearing for R1, Mr.Sundarapandian, learned counsel appearing for R2 and Mr.M.Vaikkam Karunanithi, learned Government Advocate (Crl.Side) appearing for R3. Perused the materials available on record.



W.P.(MD)No.20784 of 2024

3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself. Considering the nature of issue, counter is not required in this writ petition.

4. The case of the writ petitioner is that in an earlier round of litigation, this Court in W.P(MD) No.23839 of 2019, dated 26.08.2022 has set aside the impugned order, dated 15.10.2019 and directed the petitioner to give a fresh application and subject to fulfilment of other legal formalities, the 3rd respondent therein shall pass final orders in accordance with law. However, in the meantime Urban Local Bodies Act came into force. Therefore, the petitioner has given fresh representations to run the Spa on 14.02.2024 and 18.07.2024. However, the same were not considered.

5. Considering the limited relief sought for by the petitioner, the 2nd respondent shall consider the representations of the petitioner and pass orders on merits within a period of one month, from the date of receipt of copy of this order.



W.P.(MD)No.20784 of 2024

6. With the above direction, this writ petition stands disposed of. There shall be no order as to costs.

02.09.2024

NCC : Yes/No
Index : Yes/No
PNM

To

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W.P.(MD)No.20784 of 2024

N.SATHISH KUMAR, J.

PNM

ORDER IN

W.P.(MD)No.20784 of 2024

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