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W.P.(MD) No.26546 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.(MD) No.26546 of 2024

M/s.SE BEL SPA
rep.by its Proprietor
Bhagath Singh
S/o.Thatchanamoorthy
No.29D, Ponmeni Narayanan Street
S.S.Colony
Madurai City

... Petitioner

-vs-

- 1.The Commissioner
Madurai Corporation
Madurai City
- 2.The Commissioner of Police
Madurai City
- 3.The Assistant Commissioner of Police
S.S.Colony Range
Madurai City
- 4.The Inspector of Police
S.S.Colony Police Station
Madurai City



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5.The Health Inspector
Ward No.61, Zonal No.III
Madurai Corporation
Madurai City

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the first respondent to issue a trade license to M/s.Se Bel Spa in application No.115/CP/ 24-25/0059184 dated 11.07.2024 pending on the file of fifth respondent as earlier as possible by the time fixed by this Court and consequently direct the fourth respondent police to issue a no objection certificate to the petitioner's M/s.Se Bel Spa in which petitioner performance their lawful business.

For Petitioner : Mr.J.Vijayaraja

For Respondents : Mr.F.Deepak for R1 & R5
Ms.M.Aasha
Government Advocate (Crl.Side) for R2 to R4

ORDER

Mr.F.Deepak, learned counsel, takes notice for the respondents 1 & 5 and Ms.M.Aasha, learned Government Advocate (Criminal Side), takes notice for the respondents 2 to 4.



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2. With the consent of both sides, this writ petition is taken up for final disposal at the admission stage itself.

3. This writ petition has been filed for a direction to the first respondent to issue a trade license to the petitioner – M/s.Se Bel Spa, based on the application No.115/CP/ 24-25/0059184 dated 11.07.2024 pending on the file of fifth respondent.

4. The petitioner is doing a business in the name and style of M/s.Se Bel Spa in service of massage and women beauty parlour in a rented premises. After completion of interior works and obtaining all necessary permissions from various authorities, the petitioner submitted an application to the fifth respondent, through online, seeking trade licence. However, the said application is pending before the first respondent, without consideration.

5. Learned Government Advocate (Criminal Side) appearing for the respondents 2 to 4, on instructions, would submit that during the pendency of the application submitted by the petitioner seeking trade licence, the



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petitioner has also filed a petition on 25.10.2024 to the fourth respondent seeking no objection certificate in order to obtain trade licence from the fifth respondent. The third respondent, by communication dated 28.10.2024, issued summons to the petitioner to appear before the fourth respondent for enquiry and based on which, the petitioner appeared before the fourth respondent – Police for enquiry on 06.11.2024. During enquiry, certain documents and informations were called for from the petitioner. However, the petitioner has not produced those documents sofar.

6. In view of the above submission of the learned Government Advocate (Criminal Side), the petitioner is directed to appear before the fourth respondent – Police and produce all the necessary documents and informations, as required by the fourth respondent, within a period of one week from the date of receipt of a copy of this order. Thereafter, the first respondent is directed to consider the petitioner's application and issue trade licence to the petitioner, on merits and in accordance with law, as expeditiously as possible.



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7. With the above directions, this writ petition is disposed of. No costs.

07.11.2024

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

krk

To:

- 1.The Commissioner of Police,
Madurai City.
- 2.The Assistant Commissioner of Police,
S.S.Colony Range,
Madurai City.
- 3.The Inspector of Police,
S.S.Colony Police Station,
Madurai City.



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G.K.ILANTHIRAIYAN, J.

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