



W.P.(MD)No.27646 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 20.11.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.27646 of 2024

M.Bharathhi

... Petitioner

Vs.

1. The Commissioner,
Madurai Corporation,
Madurai City.
2. The Commissioner of Police,
Madurai City,
Madurai.
3. The Assistant Commissioner of Police,
Madurai City,
Madurai.
4. The Inspector of Police,
K.Pudur Police Station,
Madurai.
5. The Health Inspector,
North Zone,
Madurai Corporation,
Madurai.

... Respondents



W.P.(MD)No.27646 of 2024

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the first respondent to issue a trade license to M/S.Aura Bali Spa based on the application dated 05.11.2024 with ref.No.006118 pending on the file of the first respondent and consequently direct the fourth respondent to issue a no objection certificate to the petitioner's M/S. Aura Bali Spa in which petitioner waiting to commence their lawful business.

For Petitioner	: Mr.K.Malathi
For R-1 & 5	: Mr.F.Deepak Standing Counsel
For R-2, 3 & 4	: Mr.K.Gnanasekaran Government Advocate (Crl. side)

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2. The prayer in the Writ Petition reads as follows:-

“To issue a Writ of Mandamus, to direct the first respondent to issue a trade license to M/S.Aura Bali Spa based on the application dated 05.11.2024 with ref.No. 006118 pending on the file of the first respondent and consequently direct the fourth respondent to issue a no



W.P.(MD)No.27646 of 2024

WEB COPY

*objection certificate to the petitioner's M/S. Aura Bali Spa
in which petitioner waiting to commence their lawful
business.”*

3. Heard the learned counsel on either side and perused the entire materials available on record.

4. The petitioner intending to commence a spa in the name and style of M/S.Aura Bali Spa which is for the purpose of massage and women beauty parlour, had entered into a rental agreement with the house owner, namely, M.Sekar and the deed executed in this regard was executed between them on 27.09.2024. Thereafter, for the purpose of establishing the said business, he had approached the fire department for no objection certificate and the same was duly issued on 15.10.2024. After getting a fire safety certificate, he made an application for a trade license to the first respondent on 05.11.2024. However, the first respondent had directed the petitioner to obtain a no objection certificate from the local police. Hence, the petitioner made an application to the local police by a representation dated 05.11.2024. Since the same was not considered, the present writ petition came to be filed.



W.P.(MD)No.27646 of 2024

5. When the matter came up for hearing, the learned Government Advocate on instructions would submit that if the petitioners is prepared to appear for an enquiry before the fourth respondent, on enquiry and on submissions of the required documents before the fourth respondent, his request would be considered and appropriate orders would be passed.

6. In view of the said submission, the fourth respondent is directed to summon the petitioner, considering the petitioner's representation dated 05.11.2024. On receipt of the same, the petitioner is directed to appear before the fourth respondent on the required date along with necessary documents and after appropriate enquiry, the fourth respondent shall pass orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7. Accordingly, with the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

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

20.11.2024



W.P.(MD)No.27646 of 2024

To

WEB COPY

1. The Commissioner,
Madurai Corporation,
Madurai City.
2. The Commissioner of Police,
Madurai City,
Madurai.
3. The Assistant Commissioner of Police,
Madurai City,
Madurai.
4. The Inspector of Police,
K.Pudur Police Station,
Madurai.
5. The Health Inspector,
North Zone,
Madurai Corporation,
Madurai.



WEB COPY



W.P.(MD)No.27646 of 2024

L.VICTORIA GOWRI, J.

jbr

W.P.(MD)No.27646 of 2024

20.11.2024