



WPCRL(MD)No.377 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WPCRL(MD)No.377 of 2025

Sathya

... Petitioner

versus

- 1.The Commissioner,
Dindigul Corporation,
Dindigul.
- 2.The Superintendent of Police,
Dindigul District,
Dindigul.
- 3.The Inspector of Police,
Dindigul North Police Station,
Dindigul.

... Respondents

Writ Petition filed under Article 226 of the constitution of India, seeking for the issuance of Writ of Mandamus directing the 2nd and 3rd respondents to issue no objection certificate enabling the 1st respondent to issue licence in favour of the petitioner for running the petitioner's Apple Spa at Ramora Grand Hotel, D.No.75, Keelasarugu, Thanidkombu District by considering the petitioner's representation dated 03.05.2025 within the period that may be stipulated by this court.



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For Petitioner : Mr.Natarajan

For Respondents : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

ORDER

This writ petition has been filed for a direction to the 2nd and 3rd respondents to issue a no objection certificate, enabling the 1st respondent to issue trade license for running the petitioner's spa by considering the petitioner's representation dated 03.05.2025.

2.The case of the petitioner is that she is running a spa business and the same has been registered with the Ministry of Micro, Small and Medium Enterprises. The petitioner has employed certified professionals to carry out spa therapy, Ayurvedic rejuvenation therapy, and Ayurvedic based beauty treatments, including hair washing and its related services. On 03.05.2025, the petitioner submitted a representation to the Superintendent of Police, Dindigul and the Inspector of Police, Dindigul North Police Station seeking NOC. She has made a separate representation to the Commissioner, Dindigul



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Municipal Corporation seeking trade licence. However the representations have not been considered by them so far. Therefore, the petitioner has filed this petition.

2.The learned counsel for the petitioner submits the petitioner is doing the above business since December 2024 without any complaints. However, she apprehends that without necessary permission action may be initiated against her, she made representations seeking necessary certificates. In support of his contention, the learned counsel has relied on a decision of this court in ***Payel Biswas vs. The Commissioner of Police Trichy City and others*** (WP (MD)No.22667 of 2021, dated 04.01.2022).

3.On the other hand, the learned Additional Public Prosecutor has pointed out that such an application should be made to the Municipal Commissioner under the relevant rules and it is for the Municipal Commissioner, to obtain a no objection certificate from the officials concerned.



4.The court has considered the rival submissions made and perused the materials.

5.The issuance of licence and permissions for the running of spas and massage parlours is covered under the Tamil Nadu Urban Local Bodies Act, 1998 and the Rules made thereunder. The Tamil Nadu Urban Local Bodies (Amendment) Act, 2022 and the Rules came into force with effect from 30.04.2023 and therefore, this legislation is applicable to all municipalities in the State of Tamil Nadu.

6.As per Section 108-A of the TN Urban Local Bodies Act 1998, no place shall be used as a spa and massage parlour without a licence granted by the Municipal Commissioner. The application to obtain such a licence has to be made to the Municipal Commissioner concerned, who is empowered to hold such inquiry as he sees fit before granting such a licence.



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7.The procedure and format for issuing such licence are specified under Rule 299 of the Tamil Nadu Urban Local Bodies Rules 2023 [in short 'the Rules']. As per this Rule, the application for running such a business is to be made in Form 7 and the licence is to be granted under Form 15. Such a licence shall be issued initially for a period of three years and thereafter, can be renewed for every three year period.

8.As per Rule 299 (5) of the Rules, the Municipal Commissioner is required to conduct an inspection regarding the suitability of the place in respect of which the licence is applied including compliance of all conditions mentioned in these rules, the possibility of any danger to life or health or property or the likelihood of any nuisance being created and compliance with other acts and rules.

9.The requirement of no objection certificate from the Police Department is required as per Rule 299(6) of the Rules and the same is extracted as under:



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“Provided that a No Objection Certificate from the Superintendent of Police or Commissioner of Police having jurisdiction over the area shall be obtained by the Commissioner before granting any license.”

10.Perusal of the above rule would reveal that the Commissioner of local body after satisfying himself has to obtain the no objection certificate from the police department and the petitioner cannot directly apply for NOC from the police department.

11.The petitioner has submitted a representation to the respondents seeking trade licence. Since there is a procedure prescribed for grant of trade license, under the Tamil Nadu Urban Local Bodies (Amendment) Act, 2022 and the Rules made thereunder, the petitioner shall make an application to the 1st respondent and 1st respondent shall consider the same on merits and in accordance with law within a period of three months form the date of receipt of such application.



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12.This petition is disposed of in the above terms. No costs.

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Internet : Yes

To

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- 2.The Superintendent of Police,
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- 3.The Inspector of Police,
Dindigul North Police Station,
Dindigul.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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