



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2026

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THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA**WP CrI. No. 293 of 2026**

R.Bavani

..Petitioner(s)

Vs

1. The Commissioner
Velacheri Corporation Office Zone-13,
31, Thiruvankatam Street,
Adayar, Chennai-600020.
2. The Commissioner of Police
Commissioner Office,
132, E.V.K. Sampath Road,
Vepperi, Chennai-600007.
3. The Inspector of Police
J7, Velacheri Police Station,
Chennai-600042.

..Respondent(s)

Writ Petition has been filed under Article 226 of the Constitution of India to issue writ of Mandamus, to direct the respondents Nos.2 and 3 to issue No Objection Certificate enabling the 1st respondent to issue Trading License in Petitioner's favour for running her "BLUE SKY AYURVEDIC SPA" at Plot No.121A/121B, S.No.179, Karuna Street, Buvaneshwari Nagar, Velacheri, Chennai 600042 by considering petitioner's representation dated 21.01.2026.

For Petitioner(s): Mr.M.Natarajan

For Respondent(s): Mr.K.M.D.Muhilan
Additional Public Prosecutor



ORDER

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2. Learned counsel for the petitioner submitted that the petitioner is the proprietor of "BLUE SKY AYURVEDIC SPA" and has been carrying on business without any complaint. The business is duly registered with the Ministry of Micro, Small and Medium Enterprises (MSME). The petitioner approached the respondents for the issuance of a Trading License and a No Objection Certificate (NOC), but no action has been taken. Consequently, the petitioner submitted a representation on 21.01.2026. Since the said representation was not considered, the petitioner has been constrained to move the present writ petition.

3. Learned counsel for the petitioner relied upon the order passed by the Madurai Bench of this Court in *Payel Biswas vs The Commissioner of Police, Trichy City (W.P.(MD).No.22667 of 2021 decided on 04.01.2022)*, in support



of his contention that as per the Chennai City Municipal Corporation Notification dated 27.02.2019, the authorities are bound to consider such applications on their own merits and in accordance with law.

4. Learned Additional Public Prosecutor appearing on behalf of the respondents, submitted that the petitioner's representation will be considered on its own merits, and in accordance with the law and disposed of by the authorities. However, he stated that the petitioner cannot be permitted to conduct any illegal activities under the guise of running a spa.

5. This Court, having considered the facts and circumstances, observes that a Writ Court, under Article 226 of the Constitution of India cannot direct the authorities for issuance of a license, which is a discretionary power vested on them. However, this Court can direct the authorities to perform their duty by considering the representation, which is pending.

6. It is further well-settled that the Police have no powers to intimate that a license is required to conduct the business of a beauty parlour or spa, as there is no specific statutory provision requiring an NOC from the Police. The respondents shall not interfere with the lawful conduct of business except on a specific complaint or credible information regarding illegal activities punishable under the Immoral Traffic (Prevention) Act, 1956. In the absence of any rule-



based prohibition, the right to carry on a profession is a fundamental right under Article 19(1)(g) of the Constitution of India.

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7. In view of the above, this Court directs the respondents to consider the petitioner's representation dated 21.01.2026 for the issuance of the Trading License and NOC on its own merits and in accordance with the law. The said exercise shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order. It is made clear that the respondents are at liberty to take action in the event of any illegal activity being carried out within the premises, but they shall not interfere with the business activity of the petitioner solely on the ground of the license being under process.

8. With the above directions, this Writ Petition (Criminal) stands disposed of. No costs.

12-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Jeni



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4.The Public Prosecutor,
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A.D.JAGADISH CHANDIRA, J.

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