



WP Nos.1854 of 2021 etc.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

WP Nos.1854, 28151, 28152, 28137, 28155 of 2021

WP No.1854 of 2021

S.Hema Jwaalini

: Petitioner

versus

- 1.The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai 3
- 2.The Joint Commissioner (Health)
Greater Chennai Corporation,
Ripon Building, Chennai 3
- 3.The Revenue Officer,
Revenue Department,
Greater Chennai Corporation,
Ripon Building, Chennai 3
- 4.The Commissioner of Police,
Chennai Police Commissionerate,
No.132, Commissioner Office Building,
EVK Sampath Road, Vepery,
Chennai 600007

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records of the 1st respondent culminating in the Tamil Nadu Government Gazette Notification No.9, in SRO-C-2/2019 dated 27.02.2019 issued by the 1st respondent under Section 373 of the



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Chennai City Municipal Corporation Act, 1919 quash the same and consequently direct the 1st respondent to issue trade licenses to the petitioner to operate all the 13 branches of Spa massage parlours, within Greater Chennai Corporation limits, for which applications for trade licenses are pending with the first respondent since February/November 2020. (prayer amended vide order dated 21.01.2022 in WMP No.802/2022)

For the Petitioner : Mr.V.B.R.Menon
For Respondents 1 to 3 : Ms.P.T.Ramadevi
For 4th Respondent : Mr.R.Muniyapparaj,
Additional Public Prosecutor,
assisted by Mr.M.Sylvester John

WP No.28151 of 2021

S.Hema Jwaalini : Petitioner

versus

1.The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai 3

2.The Zonal Officer
Revenue Department Zone-IX
Greater Chennai corporation
No.8, 4th Cross Street, lake Area,
Nungambakkam, Chennai 34.

3.The Commissioner of Police
Chennai Police Commissionerate
No.132 Commissioner office Building
EVK Sampath Road, Vepery,
Chennai- 600 007.

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records of the Respondents culminating in the 2nd Respondent's communication purporting to be closure



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notice dated 17.12.2021 calling upon the petitioner to comply with the requirement specified under Section 287 of the Chennai City Municipal Corporation Act IV of 1919 in respect of Willows Spa Pvt. Ltd., No.112, Chamiers Park Hotel, Paumpon Muthuramalinga Thevar Road, Nandanam, Chennai 600035, within seven days failing which threatened to launch prosecution quash the same and forbear the respondent from in any manner interfering or disrupting the normal and routine function of the petitioner's Willows Spa Pvt. Ltd., No.112, Chamiers Park Hotel, Paumpon Muthuramalinga Thevar Road, Nandanam, Chennai 600035.

WP No.28152 of 2021

S.Hema Jwaalini

: Petitioner

versus

- 1.The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai 3
- 2.The Zonal Officer
Revenue Department Zone-VII
Greater Chennai corporation
No.536, Chennai Thiruvalluvar High Road,
Kamaraj Nagar, Ambattur,
Chennai 53.
- 3.The Commissioner of Police
Chennai Police Commissionerate
No.132 Commissioner office Building
EVK Sampath Road, Vepery,
Chennai- 600 007.

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records of the Respondents culminating in the 2nd Respondent's communication purporting to be closure notice dated 17.12.2021 calling upon the petitioner to comply with the requirement specified under Section 379(A)(1) of the Chennai City Municipal Corporation Act IV of 1919 in respect of Willows Spa Pvt. Ltd., No.357, EVK Sampath Salaim, Mohan Ram Nagar, Mogappair, Chennai 37, quash the same



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and forbear the respondents from in any manner interfering or disrupting the normal and routine function of the petitioner's Willows Spa Pvt. Ltd., No.357, EVK Sampath Salaim, Mohan Ram Nagar, Mogappair, Chennai 37.

WP No.28137 of 2021

S.Hema Jwaalini

: Petitioner

versus

- 1.The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai 3
- 2.The Zonal Officer
Revenue Department Zone-VIII
Greater Chennai corporation
No.36B, Pulla Avenue, Shenoy Nagar,
Chennai 53.
- 3.The Commissioner of Police
Chennai Police Commissionerate
No.132 Commissioner office Building
EVK Sampath Road, Vepery,
Chennai- 600 007.

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records of the Respondents culminating in the 2nd Respondent's communication purporting to be closure notice dated 17.12.2021 calling upon the petitioner to comply with the requirement specified under Section 379(A)(1) of the Chennai City Municipal Corporation Act IV of 1919 in respect of Willows Spa Pvt. Ltd., No.33/1 (235/1) Kilpauk Garden Road, Kilpauk, Chennai 10, quash the same and forbear the respondents from in any manner interfering or disrupting the normal and routine function of the petitioner's Willows Spa Pvt. Ltd., No.33/1 (235/1) Kilpauk Garden Road, Kilpauk, Chennai 10.

WP No.28155 of 2021



WP Nos.1854 of 2021 etc.

S.Hema Jwaalini

: Petitioner

versus

- 1.The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai 3
- 2.The Zonal Officer
Revenue Department Zone-XV,
Greater Chennai corporation
No.120, Rajiv Gandhi Salai,
Old Mahabalipuram Road, Sholinganallur,
Chennai 119
- 3.The Commissioner of Police
Chennai Police Commissionerate
No.132 Commissioner office Building
EVK Sampath Road, Vepery,
Chennai- 600 007.

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records of the Respondents culminating in the 2nd Respondent's communication purporting to be closure notice dated 17.12.2021 calling upon the petitioner to comply with the requirement specified under Section 379(A)(1) of the Chennai City Municipal Corporation Act IV of 1919 in respect of Willows Spa Pvt. Ltd., No.75, 1st Main Road, Annai Indira Nagar, OMR Chennai 600197, quash the same and forbear the respondents from in any manner interfering or disrupting the normal and routine function of the petitioner's Willows Spa Pvt. Ltd., No.75, 1st Main Road, Annai Indira Nagar, OMR Chennai 600197.

Appearance for WP Nos.28151, 28152, 28137 and 28155 of 2021

For the Petitioner

:

Mr.V.B.R.Menon



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For Respondents 1 & 2 : Ms.P.T.Ramadevi

For 3rd Respondent : Mr.R.Muniyapparaj,
Additional Public Prosecutor,
assisted by Mr.M.Sylvester John

COMMON ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.V.B.R.Menon, learned counsel for the petitioner, Ms.P.T.Ramadevi, learned counsel for the Chennai Corporation and Mr.R.Muniyapparaj, learned Additional Public Prosecutor for the Commissioner of Police, Chennai.

2. Memo is filed for withdrawal of writ petitions on the ground that the writ petitions have become infructuous due to the repeal of the Chennai City Municipal Corporation Act, 1919 and the enactment of the Tamil Nadu Urban Local Bodies Act, 1998, with effect from 13.04.2023

3. The writ petitions as such stand dismissed as withdrawn. There will be no order as to costs. Consequently, WMP Nos.2090, 2091, 2094, 29758, 29760, 29737 and 29759 of 2021 are closed.



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4. It is open to the party affected to challenge the Tamil Nadu Urban local Bodies Act, 1998, as may be permissible under law.

(S.V.G., C.J.)

(P.D.A., J.)

29.09.2023

Index : Yes/No
Neutral Citation : Yes/No
tar
To

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THE HON'BLE CHIEF JUSTICE
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(tar)

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