



CNR: KAHC010581072026

NC: 2026:KHC:47306
WP No. 26525 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 26525 OF 2026 (GM-POLICE)

BETWEEN:

1. MR ISAK PUNCHAME
S/O LATE HAMED BEARY
AGED ABOUT 77 YEARS
PRESIDENT,
ISLAMIC EDUCATION CENTRE,
PUNCHAME, KARIYANGALA VILLAGE,
BANTWAL TALUK,
DAKSHINA KANNADA -574 219.

... PETITIONER

(BY SRI. MOHAMMAD NIYAZ S., ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY PRINCIPLE SECRETARY
DEPARTMENT OF HOME,
VIDHANA SOUNDHA,
BENGALORE-560 001.
2. THE DEPUTY SUPERINTENDENT
BANTWAL SUB DIVISION
OFFICE OF THE SUB DIVISIONAL POLICE
BANTWAL, D.K. DISTRICT - 574 219.

... RESPONDENTS

(BY SMT. SARITHA KULKARNI, AGA)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASHING THE IMPUGNED ORDER DATED 13.08.2025 BEARING NO.02/BSD/MIKE/LLS/2025 PASSED BY THE 2ND RESPONDENT CANCELLING THE LICENSE/PERMISSION GRANTED TO THE PETITIONER FOR THE USE OF LOUDSPEAKER/PUBLIC ADDRESS SYSTEM UNDER THE PROVISIONS OF THE NOISE POLLUTION (REGULATION AND

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



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CONTROL) RULES, 2000, PRODUCED AS ANNEXURE-J AS BEING ARBITRARY, ILLEGAL, WITHOUT JURISDICTION AND VIOLATIVE OF THE PRINCIPLES OF NATURAL JUSTICE AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. Learned AGA accepts notice for respondents No.1 and 2.
2. The petitioner is before this Court seeking for the following reliefs:

- a) *Issue a writ of Certiorari or any other appropriate writ, order or direction, quashing the impugned order dated 13.08.2025 bearing No.02/BSD/MIKE/LLS/2025 passed by the 2nd Respondent cancelling the license/permission granted to the Petitioner for the use of loudspeaker/public address system under the provisions of the Noise Pollution (Regulation and Control) Rules, 2000, produced as ANNEXURE-J as being arbitrary, illegal, without jurisdiction and violative of the principles of natural justice;*
- b) *Consequently, issue a writ of Mandamus directing the 2nd Respondent to restore/revive the license/permission granted to the Petitioner for the use of the loudspeaker/public address system and permit the Petitioner to use the same strictly in accordance with the applicable provisions of law, prescribed noise limits, timings and conditions of the license;*
- c) *Pass such other order or orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in the interest of justice and equity.*



3. The grievance of the petitioner is that without issuance of any notice, respondent No.2 has cancelled the license which had been issued to the petitioner for use of loudspeaker/public address system vide Rule 5 of the **The Noise Pollution (Regulation And Control) Rules, 2000.**
4. Learned AGA has filed a memo and placing reliance on the notice issued by the Panchayat on 31.07.2025 contends that the loudspeaker has been installed in a premises which does not have a plan sanction and there being a dispute which has arisen, respondent No.2 is entitled to cancel the licence.
5. The above is not acceptable for the reason, firstly, that the said notice had been issued by the panchayat and not by respondent No.2. Admittedly respondent No.2 has not issued any notice since it is respondent No.2, who is the license issuing authority in respect to the loudspeaker. It was, but, required of respondent No.2 to have issued a notice, provided an opportunity to the petitioner of being heard and then pass an order, after complying with the



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principles of natural justice. No authority can proceed to pass an order just because it has the power to do so. It has to comply with the applicable requirements therein. In that view of the matter, this Court passes the following:

ORDER

- i. The petition stands ***disposed***.
- ii. *The* Order dated 13.08.2025 bearing No. 02/BSD/MIKE/LLS/2025 at Annexure-J passed by respondent No.2 is read down as a show cause notice. The petitioner is permitted to reply to the said read down show cause notice, which reply shall be so submitted by 10.09.2026. The respondent No.2 shall consider the said objections/reply submitted by the petitioner and pass necessary orders in accordance with law.
- iii. Insofar as the notice of the Panchayat is concerned, Panchayat would always be at liberty to take such action as the Panchayat may have under the relevant enactment.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

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List No.: 1 Sl No.: 9