



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.04.2017

CORAM:

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN
W.P (MD) No. 6814 of 2017

S.Arumugam

... Petitioner

Vs.

1.The District Environment Engineer,
Tamil Nadu Pollution Control Board,
25, SIDCO Industrial Estate,
Thuvakudi,
Trichy - 15.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Trichy - 20.

3.Rev.Father,
Jesus Christ Church,
Anna Nagar,
Trichy - 26.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to take action against the third respondent pursuant to the proceedings of the first respondent dated 12.01.2017.

For Petitioner : Mrs.R.Yamuna

For Respondents : Mr.T.S.Mohammed Mohideen
Additional Government Pleader
for R.1 & R.2

ORDER

This writ petition has been filed seeking to issue a Writ of Mandamus directing the first respondent to take action against the third respondent pursuant to the proceedings of the first respondent dated 12.01.2017.

2. By consent, the main writ petition is taken up for disposal.

3. The learned Counsel for the petitioner would submit that the third respondent is using cone speakers and it is causing noise pollution and therefore, the residents of that area are put to grave difficulty and though it has been brought to the knowledge of the respondents 1 and 2 in the form a representation, no action has been



taken and therefore, the petitioner is constrained to file this petition.

4. Per contra, the learned Additional Government Pleader appearing for the respondents, on instructions, would submit that appropriate instructions have been given to the Inspector of Police, Navalpattu Police Station, Trichy District, to remove the said cone speakers put up by Jesus Christ Church, Anna Nagar, Trichy - 26.

5. This Court has considered the rival submissions and perused the materials placed on record.

6. The Honourable Supreme Court in very many decisions has frowned upon the use of cone speakers and thereby, causing noise pollution and since it is the dictum laid by the Highest Court of land, the respondents are bound by the same.

7. This Court, taking into consideration the submissions made, on instructions, by the learned Additional Government Pleader appearing for the respondents 1 and 2, and in the light of the law laid down by the Honourable Supreme Court, directs the respondents 1 to 3 as well as the Inspector of Police, Navalpattu Police Station, Trichy District, to take immediate and appropriate action to abate the said nuisance as expeditiously as possible, not later than one week from the date of receipt of a copy of this order.

8. Accordingly, this writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1. The District Environment Engineer,
Tamil Nadu Pollution Control Board,
25, SIDCO Industrial Estate,
Thuvakudi, Trichy - 15.
2. The Superintendent of Police,
Office of the Superintendent of Police,
Trichy - 20.
3. The Inspector of Police,
Navalpattu Police Station,
Navalpattu, Trichy District.

+1 CC to M/s. THE SPECIAL GOVERNMENT PLEADER, SR No. 52243

+1 CC to M/s. R. YAMUNA, Advocate, SR No. 51953

RSB

PSM/RR/20.04.2017/2P/6C

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