



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.05.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD)No.8913 of 2017

R.Savarimuthu

... Petitioner

vs.

1)The Superintendent of Police,
Dindigul District,
Dindigul.

2)The Inspector of Police,
Chinnalapatti Police Station,
Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent herein to grant permission to petitioner to use Speaker Box and Drum set on the occasion of his son Reuban Raja's First Communion to be solemnized on 14.05.2017 at Perumalkovilpatti @ Anthoniapuram, Athoor Taluk, Dindigul District.

For Petitioner	: Mr.A.John Vincent
For Respondents	: Mr.S.Chandrasekar
	Government Advocate

O R D E R

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the 2nd respondent herein to grant permission to the petitioner to use Speaker Box and Drum set on the occasion of his son Reuban Raja's First Communion to be solemnized on 14.05.2017 at Perumalkovilpatti @ Anthoniapuram, Athoor Taluk, Dindigul District.

2.On 04.05.2017, the petitioner appeared before the 2nd respondent and submitted a petition seeking permission to install Speaker Box and to arrange Drum set between 3.00 p.m to 6.00 p.m on 13.05.2017 and between 6.00 a.m to 2.00 p.m on 14.05.2017. However, the petitioner was denied permission stating that there was a dispute between two communities in celebrating the festival.



3. According to the petitioner, there is no prohibitory order and further, it is the function organised within the family and therefore, the question of law and order problem does not arise. After rejection of request for permission by the 2nd respondent, the petitioner approached the 1st respondent seeking permission and no order has been passed so far on his request. Hence, this writ petition.

4. Heard both sides.

5. As the petitioner is only going to celebrate the first communion of his first son, this Court finds that the petitioner can be granted permission subject to certain conditions. Accordingly, the 2nd respondent is directed to grant permission to the petitioner to celebrate the abovesaid ceremony subject to the condition that he shall install one Speaker Box with minimum decibel volume and Drum set only on 14.05.2017 between 6.00 am to 2.00 p.m. The 2nd respondent shall ensure that the celebration of the abovesaid ceremony does not cause nuisance or disturbance to the general public. In the event of violation of such conditions, the 2nd respondent is directed to take appropriate action as per law and stop such ceremony.

With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar()

/TRUE COPY/

Sub Assistant Registrar

nbi

To

1) The Superintendent of Police,
Dindigul District,
Dindigul.

2) The Inspector of Police,
Chinnalapatti Police Station,
Dindigul District.

+1 cc to MR. A. John Vincent , ADVOCATE, SR NO: 56236

JAM/11.05.17/MR/SAR 3 /2p-4c

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