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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.10.2018

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THE HONOURABLE MR. JUSTICE S.S.SUNDAR

and

THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

W.P. (MD) No. 21629 of 2018

Panneerselvam

: Petitioner

Vs.

1. The District Collector,
Tiruchirappalli District,
Tiruchirappalli.

2. The Superintendent of Police,
Tiruchirappalli District,
Tiruchirappalli.

3. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Tiruchirappalli.

4. The Deputy Superintendent of Police,
Manapparai Sub Division,
Tiruchirappalli District.

: Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to ban Loud Speakers on the Saraswathi Pooja / Ayutha Pooja day on 18.10.2018 placed by the Taxi Operators / Auto Operators / Load Carrier Operators in front of the Manapparai Bus Stand, at Kovilpatti Road, near Kamarajar Statue and at Trichy Road between 04.00 am and 10.30 pm and to ban the vehicle procession of more than 300 vehicles on 18.10.2018 on the Kovilpatti Road, Trichy Road, Dindigul Road and Madurai Road at Manapparai on 18.10.2018 based on the petitioner's representation given to the respondents dated 06.10.2018 and 08.10.2018.

For Petitioner : Mr.T.M.Madasamy

For Respondents : Mr.Aayiram K.Selvakumar,
Additional Government Pleader

**ORDER****(Order of the Court was made by S.S.SUNDAR.,J.)**

This writ petition is filed seeking issuance of a Writ of Mandamus directing the respondents to ban Loud Speakers on the Saraswathi Pooja / Ayutha Pooja day on 18.10.2018 placed by the Taxi Operators / Auto Operators / Load Carrier Operators in front of the Manapparai Bus Stand at Kovilpatti Road, near Kamarajar Statue and at Trichy Road between 04.00 am and 10.30 pm and to ban the vehicle procession of more than 300 vehicles on 18.10.2018 on the Kovilpatti Road, Trichy Road, Dindigul Road and Madurai Road at Manapparai on 18.10.2018 by considering the representations of the petitioner dated 06.10.2018 and 08.10.2018.

2. Heard the learned Counsel appearing for the petitioner and Mr.Aayiram K.Selvakumar, learned Additional Government Pleader, who takes notice for the respondents.

3. Considering the grievance of the petitioner and the facts as narrated in the affidavit filed in support of the writ petition, this Court find that the grievance of the petitioner is reasonable as the citizens of this Country have a right to live without any nuisance or noise pollution. However, taking into consideration the interest of the affected associations, this Court is inclined to issue the following directions to the fourth respondent:

"The fourth respondent shall insist all the associations of Taxi Operators / Auto Operators / Load Carrier Operators in Manapparai Bus Stand at Kovilpatti Road, near Kamarajar Statue at Trichy Road, to get permission to celebrate Saraswathi Pooja / Ayutha Pooja, by using loud speakers. It is open to the fourth respondent to put any stringent conditions, so that the nuisance to the public will be minimised and there shall be no hindrance either to the traffic or to the public. There shall not be any procession, which can be permitted by the fourth respondent."

4. The writ petition stands disposed of accordingly. No costs.

SD

ASSISTANT REGISTRAR (CS III)

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SUB ASSISTANT REGISTRAR (CS IV)

ssl/gk

To

1.The District Collector,
Tiruchirappalli District,
Tiruchirappalli.



2.The Superintendent of Police,
Tiruchirappalli District,
Tiruchirappalli.

3.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Tiruchirappalli.

4.The Deputy Superintendent of Police,
Manapparai Sub Division,
Tiruchirappalli District.

1CC TO MR. T.M. MADASAMY, ADVOCATE SR 90911
1CC TO THE SPL GOVT PLEADER SR 90929

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