



WP(MD)No.23465 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.10.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.(MD)No.23465 of 2022

C.Kasimayan

... Petitioner

/vs./

1. The Superintendent of Police
Theni District
2. The Inspector of Police
Veerapandi Police Station
Veerapandi, Theni District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second Respondent to grant permission to the petitioner for conducting Radio Set Competition (Music event) at day hours on 15.10.2022 to 17.10.2022 at outside the Palarpatti Village, Bodinayankaur Taluk, Theni District based on the Petitioner's representation dated 24.09.2022.



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For Petitioner : Mr.T.Gopalakrishnan
For Respondents : Mr.R.Sivakumar
Government Advocate(Crl.Side)

ORDER

The Petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the Respondents to give permission to conduct Radio Set Competition (Music event) at day hours on 15.10.2022 to 17.10.2022 at outside the Palarpatti Village, Bodinayankaur Taluk, Theni District based on the Petitioner's representation dated 24.09.2022

2.The learned Government Advocate(Crl.Side) takes notice for the Respondents. By consent, the Writ Petition itself is taken up for final disposal.

3.Heard the learned Counsel for the Petitioner and the learned Government Advocate(Crl.Side) appearing for the Respondents.



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4.The learned Counsel appearing for the Petitioner would submit that the program will be conducted in a peaceful manner and there will be no untoward incident on account of this program. He would also submit that the Petitioner is the Member of the Radio Set Committee.

5.The learned Government Advocate(Crl.Side) appearing for the Respondents, would submit that the in the representation of the Petitioner, date of the musical event had not been mentioned, therefore the Respondents are unable to pass orders in the representation of the Petitioner. He also objected to the pamphlet printed by the Petitioner, wherein cone type loud speakers are shown. The printed pamphlet is found objectionable “ஒலி பெருக்கி உரிமையாளர்கள். He also relied on the decision of the Hon'ble Supreme Court in the case of *Prevention of Environmental and Sound Pollution -vs-Union of India* reported in (2005)5 Supreme Court Cases 733.

6.In view of the submission made by the learned Government Advocate(Crl.Side), the Writ Petition is disposed of, with a direction to the second Respondent consider the representation of the Petitioner and pass



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appropriate order considering the reported ruling of the Hon'ble Supreme Court in the case of *Prevention of Environmental and Sound Pollution -vs-Union of India*. No costs.

12.10.2022

Index : Yes / No

Internet : Yes / No

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Note: Issue Order Copy on 12.10.2022.

TO:

1. The Superintendent of Police
Theni District
2. The Inspector of Police
Veerapandi Police Station
Veerapandi, Theni District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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