



W.P.(MD)No.16712 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :21.07.2023

CORAM:

THE HONOURABLE **MR.JUSTICE S.S.SUNDAR**
and
THE HONOURABLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.(MD)No.16712 of 2023

Dr.P.K.Subramania raja

... Petitioner

Vs.

- 1.State of Tamil Nadu,
By Secretary to Government,
Pollution Department,
Fort St. George,
Chennai – 600 009.
- 2.The District Collector,
Theni,
Theni District.
- 3.The Authorized Officer,
Tamil Nadu Pollution Control Board,
SAR, Complex
Door No.15/4, 12A/3,
Back to Vetri Cinemas,
Theni District.
- 4.The Deputy Superintendent of Police,
Theni,
Theni District.



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5.The Commissioner,
Allinagaram Municipality,
Theni,
Theni District.

6.The Inspector of Police,
Theni Police Station,
Theni District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondent No.6 to execute the direction issued by the respondent No.3 in Lr.No.C.0448/DEE/TNPCB/THENI/COMPLAINT/2023/DATED 11.05.2023.

For Petitioner :Mr.J.Senthil Kumar

For Respondents :Mr.D.Sachi Kumar,
Additional Government Pleader

ORDER

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

Heard Mr.J.Senthil Kumar, learned counsel for the petitioner and Mr.D.Sachi Kumar, learned Additional Government Pleader for the respondents.



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2. The Writ Petition is filed seeking for issuance of a Writ of Mandamus, directing the sixth respondent to execute the direction issued by the third respondent in Lr.No.C. 0448/DEE/TNPCB/THENI/COMPLAINT/2023/DATED 11.05.2023.

3. The petitioner is running a Hospital in the name of Shri Raja Nursing Home. It is his case that adjacent to his Hospital, a Marriage Hall is constructed in the name and style of N.R.T Hall by a private individual and that, they are causing noise pollution by using loud speakers(public address system). Therefore, the petitioner has made a representation to the Inspector of Police, Theni Police Station. However, the petitioner was earlier informed that the competent authority is the Deputy Superintendent of Police designated for the maintenance of the Ambient Air Quality standards in respect of noise.

4. Today, the learned counsel appearing for the petitioner submitted that in pursuant to the complaint made by the petitioner, the Inspector of Police, Theni Police Station, has made an enquiry and local inspection and the person, who is running the Marriage Hall has given an



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undertaking that they will not indulge in any kind of activities causing noise pollution beyond the permissible limits. Therefore, the learned counsel requests that recording the undertaking given by the private individual before the Theni Police Station, the writ petition may be disposed of.

5. Therefore, recording the submission of the learned counsel for the petitioner, this writ petition is disposed of with a direction to the official respondents to keep a watch and ensure that the Marriage Hall does not cause noise pollution beyond the permissible limits. No Costs.

[S.S.S.R., J.] [D.B.C., J.]
21.07.2023

Index : Yes / No
NCC : Yes/No
pm



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S.S.SUNDAR, J.

and

D.BHARATHA CHAKRAVARTHY, J.

pm

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18.07.2023