

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 21.03.2024****CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P.(MD)No.7052 of 2024**

Krishan Media,
Rep. by its Proprietor K.Raja.

... Petitioner

Vs.

1. The District Collector,
Thoothukudi District, Thoothukudi.
2. The Revenue Divisional Officer,
Kovilpatti Taluk, Thoothukudi District.
3. The Deputy Superintendent of Police,
Kovilpatti Division, Thoothukudi District.
4. The Inspector of Police,
Kovilpatti East police station,
Kovilpatti, Thoothukudi District.
5. The Executive Officer,
Arultharum Senbagavalli Ammal Udanurai
Arulmigu Poovananthaswamy Thirukovil,
Kovilpatti,
Thoothukudi District – 628 501.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent Nos.1 and 2 to grant permission to the petitioner for putting up the public addressable system and speakers in the eve of Arultharum Senbagavalli Ammal Udanurai Arulmigu Poovananthaswamy Temple Panguni Festival for the period from 05.04.2024 to 28.04.2024 in the temple land,



pursuant to the order dated 06.03.2024 of the 5th respondent, based on the representation of the petitioner dated 18.03.2024.

For Petitioner : Mr.B.Prasanna Vinoth
For R-1 & R-2 : Mr.K.S.Selvaganesan,
Additional Government Pleader.
For R-3 & R-4 : Mr.A.Albert James,
Government Advocate.
For R-5 : Mr.V.R.Shanmuganathan

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ORDER

Heard both sides.

2. The petitioner and the fifth respondent are sailing together.

The petitioner was the highest bidder in the auction conducted by the fifth respondent temple. The petitioner had been permitted by the fifth respondent to put up public address system. The petitioner must get clearance from the jurisdictional police. Apprehending that permission may not be granted, the present writ petition came to be filed.

3. When the matter was taken up for hearing, the learned Government Advocate on behalf of respondents 3 and 4 expressed his strong objection.

4. The festival is to be held from 05.04.2024 till 20.04.2024.

The fact that the election campaign will be going on need not come in the



way. The petitioner had enclosed copies of the proceedings whereby permission was granted during the previous years.

5. I am of the view that there is no reason to take different view or depart from the view earlier taken. However, the petitioner has to ensure that the decibel levels are within the permissible limits. This can be an added condition. Since Model Code of conduct has come into force, it is the first respondent who has to grant permission. The third respondent is directed to issue NOC in favour of the petitioner within a period of three days from the date of receipt of a copy of this order. The first respondent will issue proceedings on the same lines as given earlier within a period of one week thereafter. This writ petition stands allowed. No costs.

21.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

Note : Issue order copy on 25.03.2024.



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W.P.(MD)NO.7052 OF 2024

G.R.SWAMINATHAN,J.

PMU

To:

1. The District Collector,
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