



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-03-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 2353 of 2022

Dr. M.Karmegam
S/o. S.A. Muthuvel,
Sibi Hospital,
Kongu Nagar No. 18/585,
Erode Road, Vellakoil,
Kangayam Taluk, Tiruppur District.

..Petitioner

..Vs..

1.The District Collector,
Tiruppur District, Tiruppur.

2.The Sub collector/
Revenue Divisional Officer, Dharapuram,
Tiruppur District.

3.The Tahsildar,
Kangayam Taluk, Kangayam ,
Tiruppur District.

4.The Deputy Superintendent of Police,
Kangayam Tiruppur District,

5.The Trustee
Ayira Nagara Vaisiyar Trust,
C/o. Ayira Nagara Veisiyar Thirumana Mandapam,
Erode Road, Vellakoil,
Kangayam Taluk,
Tiruppur District.

..Respondents

Writ Petition filed under Article 226 of Constitution of India
praying for a writ of Mandamus directing the 2nd respondent to conduct
elaborate enquiry and take appropriate action against the 5th respondent



marriage hall and save the patients life by taking follow up actions in pursuant to the Communication sent by the 2nd respondent in his proceedings Na.Ka. 2106/2017/ E, dated 09.06.2017.

For Petitioner:

Mr.C.Prakasam

For Respondents:

Mrs.Indhu Bala (R1 to R4)
Additional Government Pleader
Mr.K.Govi Ganesan (R5)

ORDER

This Writ Petition has been filed seeking a direction to the 2nd respondent to conduct elaborate enquiry and take appropriate action against the 5th respondent Marriage Hall and save the patients life by taking follow up actions in pursuant to the Communication sent by the 2nd respondent in his proceedings Na.Ka. 2106/2017/ E dated 9.06.2017.

2. The case of the petitioner in nutshell, is as follows:

(i) The petitioner is a General Surgeon and running a hospital in the name and style of Sibi Hospital at No.18/585, Erode Road, Vellakoil, Tiruppur District for the past 28 years. Opposite to the petitioner hospital, earlier there was a oil mill and subsequently the same was purchased by the 5th respondent and they were running a school. Thereafter, the same was converted into a Marriage Hall. Subsequently, the petitioner came to understand that without following any norms for running Marriage Hall, the said building was converted as Marriage Hall and they put up main entrance opposite to the petitioner's



hospital entrance. Despite a request being made by the petitioner to the 5th respondent stating that it will cause hindrance and troubles to the patients who are taking treatment in the hospital and made request to put up main entrance on the eastern side since they are having vast extent of land on the eastern side of the above said marriage hall, the 5th respondent failed to consider the request of the petitioner.

(ii) It is further stated that whenever the marriage and other functions are taken place in the said 5th respondent building, the participant and guest are parking their vehicles in the 30 feet road, which belong to the petitioner as well as the 5th respondent and moreover the persons conducting marriage and other functions, from evening to next day morning used to arrange Sendaimela and orchestra and during orchestra loud speakers are being used and drunken guest used to dance which cause hindrance to the patients in the petitioner's hospital. That apart, they celebrate functions on the whole night and the drunken persons used to trespass into the hospital premises, causing trouble to the patients. Therefore, the petitioner made several complaints before the respondents 1 to 4 against the 5th respondent. In this connection, the 2nd respondent sent a communication to the 3rd respondent on 09.06.2017 directing the 3rd respondent to conduct enquiry and ascertain as to whether the marriage hall belonging to the 5th respondent obtained proper approval and send a report to the 2nd respondent. But no action has been taken till date. Hence, this



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3. The learned counsel for the petitioner would submit that the petitioner's hospital is giving treatment to the poor patients and rendering service to them with lesser cost and therefore he requested this Court to direct the 2nd respondent to conduct elaborate enquiry and take appropriate action against the 5th respondent Marriage Hall and save the patients life by taking follow up actions in pursuant to the Communication sent by the 2nd respondent in his proceedings Na.Ka. 2106/2017/ E, dated 09.06.2017.

4. The learned counsel appearing for the 5th respondent by reiterating the averments made in the counter affidavit would submit that the Kalyana Mandapam was inaugurated on 31.01.1990 and is running for the past 33 years without any complaints from any persons except the petitioner who is having grudge over them. Further, he would submit that the 5th respondent started running the Marriage Hall only after obtaining necessary approval and licence as per rules. That apart, the Kalyana Mandapam is functioning from 31.01.1990 whereas admittedly the petitioner is running the hospital from 1994 only and the petitioner is making false allegations against the 5th respondent Kalyana Mandapam after 33 years. He further added that there is sufficient parking area in the eastern side of the Kalyana Mandapam and therefore the running of the Kalayana Mandapam does not cause any hindrance to the petitioner.



4.1. He further contended that loud speakers are not used in the Kalyana Mandapam and conducting light music orchestra in the marriage reception has also not been favoured by the marriage party. Only the Mangala Nandhaswaram music will be played during wedding and the same will be audible inside the hall only and the said music which will be played during the procession from Vinayagar temple to Kalyana Mandampam will be within the limited sound. The 5th respondent have put up a notice board in front of the marriage hall stating that no intoxicated person shall enter the hall and further consumption of alcohol is also strictly prohibited in the Kalyana Mandapam. If they find any such person the same will be reported to the persons who have booked the marriage hall and see that they are not allowed to wander in the Kalyana Mandamam. Further he would submit that Kalyana Mandapam is being run as per law and not creating any trouble to the petitioner herein. He therefore prays for dismissal of this writ petition.

5. This Court by an order dated 28.02.2022 directed the Tahsildar to look into the matter and file a status report and the matter was directed to be listed on 23.03.2022. Pursuant to the said direction, the 3rd respondent -Tahsildar filed a status report stating that the Tahsildar conducted the enquiry in this regard and also inspected the 5th respondent's Marriage Hall.



The Public Building Licence had been issued to Marriage Hall owned by the 5th respondent in the year 2011 by the 3rd respondent and same has been renewed from 01.11.2020 to 31.10.2023. It is further stated that there is sufficient car parking located on the eastern side of the marriage hall and some two wheelers are being parked in front of this marriage hall. Therefore, no hindrance is being created to the petitioner. It is further stated that in the enquiry the 5th respondent also deposed that if any marriage function is programmed in future the sound and time for usage of the instruments viz., Sendamela and Orchestra will be minimised. It is stated that the 5th respondent has put a board in front of the marriage hall that no participant should enter to this marriage hall with drunken mood and prohibited the use of intoxicant in the marriage hall. That apart, the Public Building Licence to the marriage Hall had been issued in the year 2011 but the petitioner has offered his complaint only in the year 2017 and it reveals that there is some private enmity between the petitioner and the 5th respondent.

6. I have given anxious consideration to the submissions made on either side and perused the materials available on record.

7. As far as the contention of the petitioner with regard to the parking of vehicles by the guests of the 5th respondent's Kalyana Mandapam is concerned, the Tahsildar after inspecting the premises of the petitioner as well as the 5th respondent in his report has clearly stated that there is sufficient car parking



available on the eastern side of the Marriage Hall and therefore, no hindrance will be caused to the petitioner in parking of vehicles by the guests of the 5th respondent's Kalayana Mandampam. Therefore, this Court is of the view that the said allegation is baseless.

8. Now coming to the next allegation of the petitioner with regard to usage of Sendaimela and orchestra using loud speakers at the time conduct of marriage and other functions in the 5th respondent's Marriage Hall, the 5th respondent in his counter affidavit has clearly stated that loud speakers are not used inside the Marriage Hall and only Mangala Nadhaswaram Music will be played during wedding and the same will be inside the hall only. Be that as it may. It is contended by the petitioner that the petitioner's hospital is giving treatments mostly to the poor patients and the petitioner also rendering service to them with lesser cost. If the petitioner is concerned about his patients, he has to take responsibility of protecting his patients from noise pollution by making necessary infrastructure in his hospital. That apart, the music and sendimelam will not be played for 24 hours and it will be played for only for few hours. Therefore, the contention of the petitioner cannot be accepted.

9. As far as the allegation of the petitioner with regard to the entry of the intoxicated persons inside the hospital is concerned, the 3rd respondent in his report has clearly stated that the 5th respondent has put a board in front of the



Marriage Hall that no participant should enter to this Marriage Hall with drunken mood and consumption of alcohol is strictly prohibited in the marriage hall. Therefore, the aforesaid allegation of the petitioner is also baseless.

10. Further, the Tahsildar also clearly stated in his report that the Public Building Licence had been issued to Marriage Hall owned by the 5th respondent in the year 2011 by the 3rd respondent and same has been renewed from 01.11.2020 to 31.10.2023. Therefore, it is clear that the 5th respondent after obtaining necessary approval and licence has been running the marriage hall. That apart, the Tahsildhar in his report has stated that on enquiry it reveals that there is some private enmity between the petitioner and the 5th respondent.

11. In the light of the aforesaid discussions, it is clear that the 5th respondent had been following the required norms for running the Marriage Hall and due to enmity between the petitioner and the 5th respondent, the petitioner has filed this writ petition with baseless allegations. Therefore, this Court is not inclined to entertain this writ petition.

12. This Writ Petition sans merit. Hence, the same stands is dismissed with costs of ***Rs.25,000/- (Rupees Twenty Five Thousand only)*** to the ***Principal, Government of Naturopathy Medical College and Hospital [Account No.7883022723, IFSC Code:IDIB000M157]***, within a period of two



weeks from the date of receipt of a copy of this order, failing which the 1st respondent/ District Collector shall initiate recovery proceedings against the petitioner, in the manner known to law. That apart, the 3rd Respondent shall ensure that necessary infrastructure has been made by the petitioner in his hospital for protecting the patients from noise pollution and other disturbance.

13. At this juncture, the learned counsel appearing for the petitioner had requested this Court to levy the cost imposed against the petitioner.

14. Therefore, considering the above request, the cost imposed by this Court stands levied.

02-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To

1. The District Collector
Tiruppur District, Tiruppur.

2. The Sub collector/
Revenue divisional Officer, Dharapuram, Tiruppur
District.

3. The Tahsildar
Kangayam Taluk, Kangayam , Tiruppur District

4. The Deputy Superintendent to Police
Kangayam Tiruppur District,

5. The Trustee
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Veisiyar Thirumana Mandapam, Erode Road,
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KRISHNAN RAMASAMY, J.

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W.P No. 2353 of 2022

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DATED: 17-03-2026

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 2353 of 2022

M.Karmegam,
S/o. S.A. Muthuvel, Sibi Hospital,
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Kangayam Taluk, Tiruppur District

Respondent(s)



For Petitioner: Mr.C.Prakasam

For Respondent(s): Mrs.S.Indhu Bala
Additional Government Pleader
for R1 to R4

Mr.K.Govi Ganesan For R5

ORDER

This writ petition has been listed today under the caption “For Being Mentioned”, at the instance of the learned counsel for the petitioner.

2.Learned counsel for the petitioner would submit that this Court on 02.03.2026, while dismissing this writ petition has imposed a costs of Rs.25,000/- against the petitioner. Subsequently, at the request of the learned counsel for the petitioner this Court has waived the costs imposed against the petitioner. However, in the copy of the order dated 02.03.2026 at paragraph Nos.13 &14 it has been inadvertently recorded as the learned counsel for the petitioner requested this court to levy the cost imposed against the petitioner and considering his request the cost imposed by this Court stands levied. Hence, he prayed to rectify the same and issued fresh order copy.

3.Considering the submissions made by the learned counsel for the petitioner, the registry is directed to replace paragraph Nos. 13 and 14 of the



order dated 02.03.2026 as shown below and issue fresh order copy:-

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“13.At this juncture, the learned counsel appearing for the petitioner had requested this Court not to levy the cost imposed against the petitioner.

14.therefore, considering the above request, the cost imposed by this Court stands waived.”

17-03-2026

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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