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W.A.No.1161 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

WA No.1161 of 2026
and CMP No.11507 of 2026

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

Appellant(s)

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.



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

Respondent(s)

PRAYER: Appeal under Clause 15 of the Letters Patent to set aside the order dated 02.03.2026 passed by the learned Single Judge in W.P. No.2353 of 2022.

For Appellant(s): Mr. C.Prakasam

For Respondent(s): Mr.K.Kumaran
Government Pleader
for R1 to R3

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

This writ appeal has been preferred under Clause 15 of the Letters Patent against the order dated 02.03.2026 passed by the learned Single Judge in W.P.No.2353 of 2022. By the impugned order, the learned Single Judge dismissed the writ petition filed by the appellant seeking a mandamus against the respondent authorities and imposed costs of Rs.25,000/-.



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2. The appellant is a medical practitioner running "Sibi Hospital" at Erode Road, Vellakoil, Tiruppur District. The dispute centers on the property located directly opposite the appellant's hospital, managed by the fifth respondent, which operates the Ayira Nagara Vaisiyar Thirumana Mandapam (Marriage Hall). The appellant approached the court seeking a direction to the second respondent to act on a communication dated 09.06.2017, to investigate and penalize the marriage hall's operations.

3. Learned counsel for the appellant, Mr.C.Prakasam, contended that:

- (a) The conversion of the building from a school into a marriage hall was done without following regulatory norms, and putting up the main entrance directly opposite the hospital causes extreme structural and operational hindrance to patients;
- (b) Wedding guests park their vehicles unlawfully on a shared 30-feet road. Furthermore, late-night events featuring Sendaimela and loud orchestra music disrupt the peace of recovering patients;



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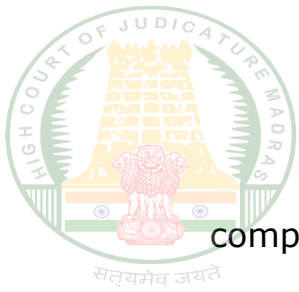
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(c) Intoxicated guests from the functions regularly trespass into the hospital premises, threatening patient safety;

(d) The learned Single Judge erred by placing heavy reliance on the status report of the Tahsildar and the counter affidavit of the fifth respondent, failing to appreciate that the public health interests of poor patients were being ignored.

4. Mr.K.Kumaran, learned Government Pleader for respondent Nos.1 to 3, reiterated the reasons that weighed with the learned Single Judge to dismiss the writ petition and further submitted that the prayer in the writ petition was to conduct enquiry and in as much as enquiry was conducted and it was found that the marriage hall was run by the fifth respondent after obtaining necessary approval, the appeal is to be dismissed.

5. A bare perusal of the order passed by the learned Single Judge reveals that the writ petition was dismissed based on



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comprehensive factual findings verified by the third respondent (Tahsildar), which make it clear that:

(i) The fifth respondent has sufficient designated car parking space on the eastern side of the marriage hall. The parking allegation was, therefore, found to be entirely baseless.

(ii) The fifth respondent established that traditional Mangala Nadhaswaram music is primarily played within the hall during weddings. The Tahsildar recorded an undertaking from the fifth respondent that sound levels and operational times for any occasional Sendaimela or orchestra instruments would be strictly minimized. It was noted that such music is only played for a few hours, not 24 hours a day.

(iii) The fifth respondent has prominently erected warning boards in front of the marriage hall strictly prohibiting the consumption of alcohol and banning entry to intoxicated individuals.

(iv) A Public Building Licence was lawfully issued to the marriage hall by the third respondent in the year 2011,



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and the license was validly renewed from 01.11.2020 to 31.10.2023. The Public Building Licence was granted in 2011, but the appellant did not lodge any complaint until 2017.

(v) The statutory enquiry concluded and the third respondent stated that the litigation there was private enmity between the appellant and the fifth respondent.

6. We find no infirmity in the analysis of the learned Single Judge. The fifth respondent is running the marriage hall in compliance with necessary municipal approvals and valid statutory licensing. The specific allegations of public nuisance regarding parking and trespass were disproved by an on-site physical verification by the Tahsildar.

7. Furthermore, we echo the critical finding of the Learned Single Judge regarding the institutional duties of medical facilities. If the appellant is genuinely concerned about the welfare and comfort of his patients, the burden lies on the hospital management to secure its own environment. As rightly observed in the impugned



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order, the responsibility rests with the appellant to install the necessary infrastructure within his medical facility to mitigate noise pollution, alongside establishing security barriers to shield patients from ambient sound and general urban disturbances. A functioning commercial establishment running under valid licenses cannot be shut down to compensate for a hospital's lack of protective structural infrastructure.

8. The learned Single Judge, in our view, correctly deduced that this writ petition was an abuse of process arising from personal friction. Consequently, the dismissal of the writ petition with costs does not warrant any interference.

9. For the foregoing reasons, the appeal is dismissed. The costs imposed by the learned Single Judge stand deleted considering the fact that the appellant is running a hospital, serving public interest. The official respondents are directed to ensure that local traffic regulations are maintained so that the entry/exit paths of the hospital remain free from obstruction.



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Consequently, interim application stands closed.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
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Index : Yes/No
Neutral Citation : Yes/No
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