

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE C. JAYACHANDRAN

FRIDAY, THE 29TH DAY OF DECEMBER 2023 / 8TH POUSHA, 1945

WP(C) NO. 44278 OF 2023

PETITIONERS:

SIVAPRASAD K.
AGED 58 YEARS, MANAGER,
THE EXCLUSIVE CLUB, O.P. RAMAN ROAD,
CIVIL STATION ROAD,
KOZHIKODE, PIN - 673020
BY ADV.
K.A.SALIL NARAYANAN

RESPONDENTS:

- 1 STATE POLICE CHIEF
POLICE HEADQUARTERS,
THIRUVANANTHAPURAM, PIN - 695014
- 2 THE ASSISTANT COMMISSIONER OF POLICE
SUB DIVISIONAL OFFICE OF POLICE,
KOZHIKODE TOWN, KOZHIKODE, PIN - 673001
- 3 THE STATION HOUSE OFFICER
NADAKKAVU POLICE STATION,
KOZHIKODE, PIN - 673006
BY ADV.
SMT.SAROJINI K.G. - GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29.12.2023, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

JUDGMENT

Dated this the 29th day of December, 2023

The limited grievance of the petitioner is centered around Ext.P3 order, which restrains the use of loudspeaker in connection with the New Year programme only up to 10 p.m. The petitioner club seeks use of loudspeaker up to 23:45 hours (11:45 p.m.) on 31.12.2023, so as to enable New Year Eve celebrations in the club. It was also submitted that the club is located in an area having an extent of 3.5 acres, within well-defined compound walls. In the peculiar facts and circumstances and having regard to the significance of the solitary date on which the petitioner is seeking exemption, this Court is inclined to allow the writ petition. The petitioner is accordingly permitted to use loudspeaker up to 23:45 hours (11:45 p.m.), only on 31.12.2023.

The writ petition is thus disposed of.

Sd/-

C.JAYACHANDRAN, JUDGE

APPENDIX OF WP(C) 44278/2023

PETITIONER EXHIBITS

Exhibit P1	THE TRUE COPY OF THE APPLICATION DATED 25.11.2023
Exhibit P2	THE TRUE COPY OF THE RECEIPT FOR ACKNOWLEDGEMENT OF THE APPLICATION DATED 25.11.2023
Exhibit P3	THE TRUE COPY OF THE LICENSE DATED 26-12- 2023

RESPONDENTS' EXHIBITS : NIL.