

**Court No. - 40**

**Case :-** WRIT - C No. - 12350 of 2022

**Petitioner :-** Irfan

**Respondent :-** State Of U.P. And 3 Others

**Counsel for Petitioner :-** Sachin Kumar Sharma

**Counsel for Respondent :-** C.S.C.

**Hon'ble Vivek Kumar Birla,J.**

**Hon'ble Vikas Budhwar,J.**

Heard learned counsel for the petitioner and learned Standing Counsel for the State-respondents.

Learned counsel for the petitioner has filed this petition for following reliefs:-

*i) Issue a writ, order or direction in the nature of certiorari for quashing the impugned rejection letter/order dated 03.12.2021 passed by respondent no.3-S.D.M. Tehsil Bisauli, District Budaun, on application dated 20.08.2021 of the petitioner, (whereby permission has been rejected for playing loudspeaker/mike on the said mosque, at the time azan.*

*ii) Issue a writ, order or direction in the nature of mandamus commanding/directing the respondent no.2 and 3 for granting permission to the petitioner for playing loudspeaker/mike on mosque (Noori Masjid) at the time of azan, situated at Village Dhoranpur, Tehsil Bisauli, District Budaun within stipulated period.*

*iii) Issue any other suitable writ, order or direction, as this Hon'ble Court may deem fit and proper under the facts and circumstances of the case.*

*iv) To award costs of the petition in favour of the petitioner.*

Learned counsel for the petitioner sought to argue that the order impugned is wholly illegal and violates the fundamental and legal rights of the petitioner to run loudspeaker from the mosque.

The law has now been settled that use of loudspeaker from mosque is not a fundamental right. Ever otherwise a cogent reason has been assigned in the impugned order.

Accordingly, we find that the present petition is patently misconceived, hence the same is **dismissed**.

**Order Date :-** 4.5.2022

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