



WEB COPY

WP No. 7499 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-03-2026

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

WP No. 7499 of 2026

1. Sri Seetambar Sthanakvasi Jain
Sangh,
Rep by Authorized Signatory Mangal
Chand, No 30, jain Bhavan,
Pulianthope High Road, Chennai 600
012

Petitioner(s)

Vs

1. The Commissioner
Greater chennai Corporation, Ripon
Building, Poonamallee high Raod,
Chennai 600 003

2.Special Director General
Department of telecommunications
Tamil Nadu Telecom complex, 3rd
FloorNo 6, Ethiraj Salai, Egmore,
Chenani 600 008

3.Deputy Dirctor General
Telecom Regulatory Authortiy of India,
3rd Floor, 124, Kellys Road,
Purasaiwakkam, Chennai 600 010

4.Authorized signaoty
GTL Infrastructure Limited, Reg.
Office Global Vision Electronic, Sadan
II, MIDC, TTC, Industrial Area,
Mahape, Navi Mumbai 400 710

5.Authorized Signatory
Chennai Newwork infrastructure



Limited, Rep office at No 34/21 DL,
New No 403./L, Samso Tower, 7th
Floor, Pantheason Road, Egmore,
Chennai 600 008

Respondent(s)

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PRAYER

Directing the 1st respondent herein to consider the petitioners representation dated 14.11.2025 to inspect the petitioners premises and to take necessary action in accordance with applicable laws to ensure the removal of the unsafe and unauthorized mobile communication tower and pass

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For Petitioner(s): Mr.S.Sasikumar

For Respondent(s): Mr.E.C.Ramesh,SC For R1

Mr.Rajesh Vivekananda,DSGI
For R2 and R5

ORDER

This writ petition has been filed to direct the first respondent to remove the mobile communication tower put up by the fifth respondent in the petitioner's premises.

2. Admittedly, the aforesaid mobile tower is idle and has not been used by the fifth respondent. Admittedly, there is a contract entered into between the petitioner and the fifth respondent for the erection of the mobile communication tower in the petitioner's premises. When there is a contract and when the mobile tower has not been put to use and is remaining idle and is not causing any nuisance to any other third party, the question of directing the official



respondents to remove the mobile communication tower does not arise. The only remedy available to the petitioner for the removal of the said mobile communication tower is to initiate proceedings as per the contractual terms available under the contract entered into between the petitioner and the fifth respondent.

3. The learned counsel for the petitioner also submits that there is an arbitration clause in the contract entered into between the petitioner and the fifth respondent. Therefore, necessarily, the petitioner will have to initiate appropriate proceedings under the Arbitration and Conciliation Act against the fifth respondent for the removal of the subject mobile communication tower and they cannot seek for removal, by filing a writ petition under Article 226 of the Constitution of India by making the official respondents as parties, who are in no way responsible for the removal of the said mobile communication tower.

4. For the foregoing reasons, this writ petition is disposed of by granting liberty to the petitioner to initiate appropriate legal action against the fifth respondent for the removal of the subject mobile communication tower, by initiating legal proceedings as per the contractual terms available under the agreement entered into between the petitioner and the fifth respondent. No costs.

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Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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ABDUL QUDDHOSE J.

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