

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

FRIDAY, THE 11TH DAY OF SEPTEMBER 2015/20TH BHADRA, 1937

WP(C).No. 7872 of 2009 (S)

PETITIONER(S):

- 1. SEBASTIAN.K.X
S/O.XAVIER, AGED 28 YEARS, KOTTIYATH HOUSE
PANDARACHIRA ROAD, KADAVANTHRA PO, KOCHI-20.**
- 2. DEVADANU.S., S/O.SIVAN
AGED 65 YEARS, LALI HOUSE, PANDARACHIRA ROAD
KADAVANTHRA PO, KOCHI-20.**
- 3. SOUTH KADAVANTHRA FAMILY WELFARE
ASSOCIATION REG.NO. ER/533/96, KADAVANTHRA PO, KOCHI-20
REPRESENTED BY, GENERAL SECRETARY, M.T.SIVADASAN
S/O.PALANI SELVAN, PRASADAM, PANDARACHIRA ROAD
KADAVANTHRA PO, KOCHI-20.**

BY ADV. SRI.B.N.SHIVSANKAR

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
ERNAKULAM**
- 2. THE SECRETARY
CORPORATION OF COCHIN, ERNAKULAM.**
- 3. THE REVENUE DIVISIONAL OFFICER,
ERNAKULAM.**
- 4. THE COMMISSIONER OF POLICE, KOCHI CITY**
- 5. THE REGIONAL MEDICAL OFFICER
KERALA STATE HEALTH SERVICES, GENERAL HOSPITAL
ERNAKULAM.**
- 6. THE MANAGER
BHARATI AIRTEL LIMITED, SAHODARAN AYYAPPAN ROAD
KADAVANTHRA, ERNAKULAM.**

7. THE MANAGER
IDEA CELLULAR COMMUNICATIONS LTD, RAVIPURAM
ERNAKULAM.
8. MR.JOY, S/O.T.L.VARKEY, AGED NOT KNOWN
K.P.VALLON ROAD, KADAVANTHRA, KOCHI-20.
9. DIRECTOR
TELECOMMUNICATION ENGINEERING CENTER
KURSHITLAL BHAVAN, JANAPATH, NEW DELHI-110 001.
10. STATE OF KERALA
REPRESENTED BY THE CHIEF SECRETARY
GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM.
11. UNION OF INDIA
REPRESENTED BY THE SECRETARY, MINISTRY OF
COMMUNICATIONS, NEW DELHI.

R11 BY ADV. SRI.N.NAGARESH,ASG OF INDIA
BY SPL.GOVERNMENT PLEADER SMT.GIRIJA GOPAL
BY SRI.S.RAMESH BABU, SC.COCHIN CORPN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO.7872/2009

APPENDIX

PETITIONERS' EXHIBITS

EXT.P1: TRUE COPY OF THE GUIDELINES

EXT.P2: TRUE COPY OF THE PHOTOGRAPHS

EXT.P3: TRUE COPY OF THE COMPLAINTS ALONG WITH THE RECEIPTS.

EXT.P4: TRUE COPY OF THE REPORTS CAME IN MALAYALA MANORAMA NEWS PAPER DATED 26/2/2009 AND INDIAN EXPRESS DT 26.2.09.

//True Copy//

PS to Judge

Rp

ASHOK BHUSHAN, C.J.

&

A.M. SHAFFIQUE, J.

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W.P. (C) No.7872 of 2009

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Dated this, the 11th day of September, 2015

J U D G M E N T

Shaffique, J.

The issue raised in the writ petition had already received attention of this Court in various judgments and finally we have decided in ***Indus Towers Ltd. v. Sub Inspector of Police*** (2014 (4) KLT 306) that disputes relating to the installation of mobile towers shall be referred to the District Telecom Committee appointed by the Government.

Having regard to the said factual circumstances, we do not think that any further directions are required to be passed in this writ petition. Accordingly, the writ petition is closed.

Sd/-

ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-

A.M. SHAFFIQUE, JUDGE

Rp

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PS to Judge