

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.32975 of 2014

and

M.P.No.1 of 2014 and 1 of 2015

Prabhu Nagar, Sri Ambal Nagar,
Narayanan Nagar, Sri Ganapathy Nagar,
Residential Welfare Association,
Rep. By its Secreatary,
Mr.M.Dhanaraj
27, 1st Main Road, Sri Ambal Nagar,
Pallikarani, Chennai

... Petitioner

vs.

1. The Commissioner
Corporation of Chennai
Rippon Building, Chennai 3
2. The Assistant Executive Engineer,
Zone - XIV,
Corporation of Chennai
Pallikarani, Chennai - 600 100
3. The Manager,
Ascend Telecom Infrastructure Pvt., Ltd.,
Old No.32, New No.52, Butt Road,
St.Thomas Mount, Chennai - 600 016
4. Jangairaman

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for a issuance of Writ of Mandamus forbearing the respondents from erecting a cell phone tower at no.208/1B, Ambal Nagar, Pallikaranai, Chennai - 600 100.

For Petitioner : Mr.MA.Gouthaman

For Respondents : Mr.T.C.Gopalakrishnan for R1 and R2
Mr.Om.Prakash for R3 and R4
for M/s Ramalingam Associates

O R D E R

Heard Mr.MA.Gouthaman, learned counsel appearing for the petitioner and Mr.T.C.Gopalakrishnan, learned counsel for the 1st and 2nd respondents and Mr.Om.Prakash, learned counsel for 3rd and 4th respondents for M/s Ramalingam Associates and perused the materials placed on record.

2. The petitioner seeks for a issuance of Writ of Mandamus forbearing the respondents from erecting a cell phone tower at no.208/1B, Ambal Nagar, Pallikaranai, Chennai - 600 100.

3. In the light of the fact that the Hon'ble First Bench of this Court has dealt with an identical issue in WA (MD) No.191 of 2014 etc., batch dated 05.03.2015 and considered the prayer sought for by the land owners and residents of the locality opposing the move of the cell phone companies to erect cell phone towers and dismissed the Writ Appeals, following the same, this Writ Petition is also dismissed. Consequently connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

ssd
To

Sub Assistant Registrar

1. The Commissioner
Corporation of Chennai
Rippon Building, Chennai 3
2. The Assistant Executive Engineer,
Zone - XIV,
Corporation of Chennai
Pallikarani, Chennai - 600 100
3. The Manager,
Ascend Telecom Infrastructure Pvt., Ltd.,
Old No.32, New No.52, Butt Road,
St.Thomas Mount, Chennai - 600 016

+1cc to Mr.T.C.GopalaKrishnan, Advocate, S.R.No.16494

+2cc's to M/s.Ramalingam Associates, Advocate, S.R.No.16431

GR(CO)
CA(31/03/2015)

W.P.No.32975 of 2014 and
M.P.No.1 of 2014 and 1 of 2015