

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2017

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE M.SUNDAR

W.P.No.508 of 2017

K.Nithya

... Petitioner

-Vs-

1. The District Collector,
Vellore District.
Vellore-632 009.
2. The District Collector and Chairman,
Local Planning authority,
Vellore-632 009.
3. The Secretary,
Local Planning Authority,
Vellore-632 009.
4. The Commissioner and Special Officer,
Vellore City Municipal Corporation,
Vellore-632 001.
5. The Zonal Officer,
Zone I, Vellore City Municipal Corporation,
Tharapadavedu,
Katpadi-632 007.
6. ATC Telecom Infrastructure Pvt Ltd.,
rep. by Circle Head, Tamilnadu Circle,
#"Celestiel Point", No.45, Dhamotharan Street,
rep. by its Deputy Manager-Legal
N.Senathipathi.

... Respondents

Writ Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents 1 to 5 to take appropriate action preventing the 6th respondent from installing the Base Transreceived Station Towner (BTS) in the unapproved House Site in S.No.321/1B and 321/4 measuring 0.05¼ cents (2300 sq. ft.) and a piece of contiguous Land in Survey Nos.317/1, 321/1B and 321/1A measuring 1150 sq.

ft. (in all 3450 sq. ft.) in Arihant Nagar, Kalinjure Village, Katpadi Taluk, Vellore District, being put up in violation of G.O.Ms.No.2 Information Technology Department dated 01.04.2002 read with Annexure-I Information Technology Department, Secretariat, Chennai-600 009 Letter No.237/IT/2002-7/dated 18.09.2002 and also, based on the representation dated 26.11.2016 made by the petitioner and other residents, within a time frame fixed by this Hon'ble Court.

For Petitioner : Mr.S.Sathia Chandran

For Respondents : Mr.T.N.Rajagopalan
Special Government Pleader
for R1 to R5

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

We are not inclined to entertain this public interest litigation.

2. However, if the tower is being installed by violating any norms, it would of course require the concerned authorities to take action in accordance with law.

3. The writ petition, accordingly, stands closed. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

bbr

To

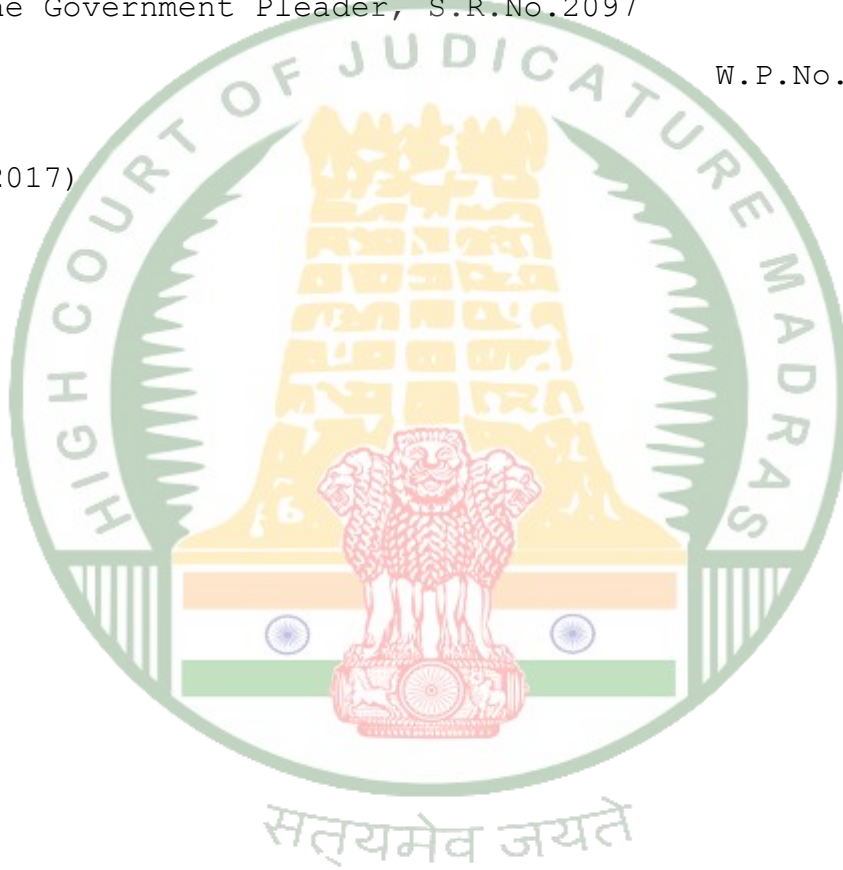
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5. The Zonal Officer,
Zone I, Vellore City Municipal Corporation,
Tharapadavedu,
Katpadi-632 007.

+1cc to Mr.S.Sathia Chandran, Advocate, S.R.No.1771
+1cc to the Government Pleader, S.R.No.2097

W.P.No.508 of 2017

UG(CO)
CA(18/01/2017)



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