



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.07.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **K.K.SASIDHARAN**

AND

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. [MD] .No.4346 of 2017

and

M.P (MD) No.3495 of 2017

Manikandan

: Petitioner

Vs.

1.Union of India,
Rep. By its Secretary,
Ministry of Communication & Information Technology,
Electronics Niketan,
No.6, CGO Complex,
Lodhi Road,
New Delhi - 110 003.

2.The District Collector,
Trichy District,
Trichy.

3.The Commissioner,
Manapparai Municipality,
Trichy District.

4.The Managing Director,
Reliance JIO Infocomm Ltd.,
No.120, Prestige Palladium Bayan,
Greems Road, Thousand Lights,
Chennai - 600 006.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents, their men, agents, from erecting any cell phone tower amidst or in the vicinity of the residential area located in the property comprised in Survey No.570/1-C, T.S.41, Ward - D, Block No.16 situated at Sevalur Village, Manapparai Taluk, Trichy District.

For Petitioner	:Mr.A.Joel Paul Antony
For R-1	:Mr.Vijayarajan
For R-2	:Mr.M.Govindan
For R-3	:Mr.J.Lawrance
For R-4	:Mr.R.G.Shankar Ganesh

**O R D E R**

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The petitioner submitted a representation to the District Collector, Trichy District and the Commissioner, Manapparai Municipality, opposing the erection of cell-phone tower in the property comprised in Survey No.570/1-C, T.S.41, Ward - D, Block No.16 situated at Sevalur Village, Manapparai Taluk, Trichy District. Since no follow-up action was taken by the concerned respondents, the petitioner is before this Court.

2. We direct the third respondent-Commissioner, Manapparai Municipality, to consider and dispose of the representation submitted by the petitioner on 08 February, 2017, on merits and as per law after issuing notice to the fourth respondent. Such exercise shall be completed, within a period of two months from the date of receipt of a copy of this order.

3. The status-quo as on today shall be maintained with respect to the erection of cell-phone tower till the disposal of the representation by the third respondent.

4. The Writ Petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

- 1.The Secretary,
Union of India,
Ministry of Communication & Information Technology,
Electronics Niketan,
No.6, CGO Complex,
Lodhi Road,
New Delhi - 110 003.
- 2.The District Collector,
Trichy District,
Trichy.
- 3.The Commissioner,
Manapparai Municipality,
Trichy District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.65283
+1cc to M/s.A.JOEL PAUL ANTONY Advocate in SR. No.65072
+1cc to M/s. R.VIJAYARAJAN Advocate in SR. No.64850
+1cc to M/s.R.G.SHANKAR GANESH Advocate in SR. No.64928

PM

JS/MR/KKR/SAR.1/17.7.2017/2P-8C

<https://hcservices.ecourts.gov.in/hcservices/>

Order made in

W.P. [MD].No.4346 of 2017

Dated:11.07.2017