



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)Nos.3485, 22862 and 23063 of 2018

and W.M.P. (MD) Nos.3615, 20752 and 20957 of 2018 respectively

W.P(MD)No.3485 of 2018:

T.Manickaraja

... Petitioner

Vs.

- 1.The District Collector,
Collectorate,
Dindigul District.
- 2.The Vadamadurai Town Panchayat,
Rep. by the Executive Officer,
O/o. The Executive Officer,
Dindigul District.
- 3.The Tahsildar,
Vedachandur Taluk,
Dindigul District.
- 4.The Executive Engineer,
Non Conventional Energy Sources,
Tamil Nadu Electricity Board,
Meenakshi Nayakkanpatti,
Dindigul District - 2.
- 5.M/s.Reliance Jio Infocomm Limited,
No.9th Floor, Maker Chambers IV, 222,
Nariman Point,
Mumbai - 400 021,
State of Maharashtra.

6.S.Gurusamy

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the Respondents from installing the High Tension Cell Phone Transmission Tower on the middle of residence of the Petitioner's village in Survey No.1668/5B in an extent of 2250 sq. feet Ward No.10, Sathiya Nagar, Vadamadurai Town Panchayat, Vedachandur Taluk, Dindigul District.



For Petitioner
For Respondents 1 & 3
For 2nd Respondent
For 5th Respondent
For 6th Respondent

: Mr.I.Pinaygash
: Mr.A.K.Baskarapandian
Special Government Pleader
: Mr.M.Rajarajan
: Mr.R.G.Shankar Ganesh
: No appearance

W.P(MD)No.22862 of 2018:

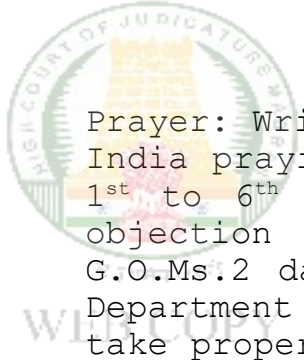
L.Arumugam

... Petitioner

Vs.

- 1.The Secretary,
Ministry of Telecommunications,
Government of India,
Sanchar Bhawan,
20, Ashoka Road,
New Delhi - 110 001.
- 2.The Secretary,
Department of Information and Technology,
Government of Tamilnadu,
Secretariat,
Chennai - 600 009.
- 3.The District Collector,
District Collectorate,
Sivagangai District,
Sivagangai - 630 562.
- 4.The Superintendent of Police,
District Police Office,
Sivagangai District,
Sivagangai - 630 561.
- 5.The Commissioner,
Sivagangai Municipality,
Sivagangai - 630 561.
- 6.The Inspector of Police,
Singampuneri Police Station,
Singampuneri,
Sivagangai District,
PIN - 630 502.
- 7.M/s.Reliance Jio Infocomm Ltd.,
Rep. through its Legal Manager,
Circle Office at A1 Tower,
8th Floor, 89-90, Dr.Radhakrishnan Salai,
Mylapore,
Chennai - 600 004.

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1st to 6th Respondents to verify the quality, proper approval and objection of the local public as per the Government Orders vide G.O.Ms.2 dated 01.04.2002 and the G.O.Ms.1 dated 21.02.2018 of the Department of Information Technology, Government of Tamilnadu and take proper legal action and direct the 7th Respondent to find out a some other place without making public to apprehend the erection of Cell Phone Tower at 10th Ward of Sinnasengundu Village, Singampunari Town Panchayat of Sivagangai District within the stipulated time fixed by this Hon'ble Court.

For Petitioner	: Mr.J.Ramamoorthy
For 1 st Respondent	: Mr.V.Kathirvelu, Assistant Solicitor General Assisted by Mr.M.Rajasimman, Central Government Standing Counsel
For Respondents 2 to 4 & 6	: Mr.A.K.Baskarapandian Special Government Pleader
For 7 th Respondent	: Mr.R.G.Shankar Ganesh

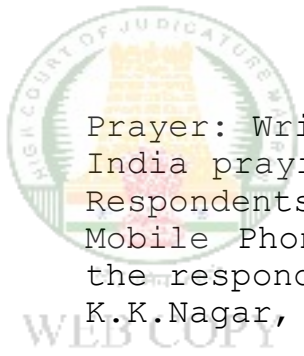
W.P(MD)No.23063 of 2018:

A.Sivakumar Ponnambalam ... Petitioner

Vs.

- 1.The Secretary to Government of Tamil Nadu,
Municipal Administration and Water Supply Department,
Chennai.
- 2.The District Collector,
Trichy District,
Trichy.
- 3.The Commissioner,
Trichy City Municipal Corporation,
Trichy.
- 4.The Inspector of Police,
Airport Police Station,
Trichy.
- 5.M/s.Reliance Jio Infocomm Limited,
Rep. Through its Legal Manager,
Having Circle Office at
A1 Tower, 8th Floor,
89-90, Dr.Radhakrishnan Salai,
Mylapore,
Chennai - 600 004.

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the Respondents No.1 to 4 to prevent the 5th respondent from installing Mobile Phone Tower without obtaining permission and clearance from the respondents No.1 to 3, at Plot No.30, 5th Cross Saraswathy Nagar, K.K.Nagar, Trichy.

For Petitioner	: Mr.R.Pon Karthikeyan
For Respondents 1 to 4	: Mr.A.K.Baskarapandian Special Government Pleader
For 5 th Respondent	: Mr.R.G.Shankar Ganesh

COMMON ORDER

(Common Order of the Court was made by **M.SATHYANARAYANAN, J.**)

It is represented by Mr.R.G.Shankar Ganesh, learned Standing Counsel appearing for M/s.Reliance Jio Infocomm Ltd., that the proposal to locate mobile towers in the places in question has been dropped and as such nothing remains for further adjudication in these Writ Petitions.

2.This Court also heard the respective learned counsel for the petitioner in these Writ Petitions and the learned counsel for the other respondents.

3.In the light of the submissions made on either side, this Court is of the considered view that no point remains for further adjudication in this matter. Therefore, all these Writ Petitions have become infructuous and hence, they are closed. Consequently, connected Miscellaneous Petitions are also closed. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Secretary,
Ministry of Telecommunications,
Government of India,
Sanchar Bhawan,
20, Ashoka Road,
New Delhi - 110 001.

2.The Secretary,
Department of Information and Technology,
Government of Tamilnadu,
Secretariat,
Chennai - 600 009.



3. The Secretary to Government of Tamil Nadu,
Municipal Administration and Water Supply Department,
Chennai.

4. The District Collector,
Trichy District,
Trichy.

5. The District Collector,
District Collectorate,
Sivagangai District,
Sivagangai - 630 561.

6. The District Collector,
Collectorate,
Dindigul District.

7. The Superintendent of Police,
District Police Office,
Sivagangai District,
Sivagangai - 630 561.

8. The Tahsildar,
Vedachandur Taluk,
Dindigul District.

9. The Inspector of Police,
Singampuneri Police Station,
Singampuneri,
Sivagangai District,
PIN - 630 561.

10. The Inspector of Police,
Airport Police Station,
Trichy.

11. The Executive Engineer,
Non Conventional Energy Sources,
Tamil Nadu Electricity Board,
Meenakshi Nayakkanpatti,
Dindigul District.

12. The Commissioner,
Sivagangai Municipality,
Sivagangai - 630 561.

13. The Commissioner,
Trichy City Municipal Corporation,
Trichy.



+1 CC to Mr.I.PINAYGASH, Advocate (SR-78351[F] dated 29/07/2019)
+1 CC to SPL GP SR-78459, 78458
+1 CC to Mr.A.P.RAJASIMMAN, Advocate (SR-79011[F] dated
31/07/2019)
+1 CC to Mr.R.PON KARTHIKEYAN, Advocate (SR-78380[F] dated
30/07/2019)
+1 CC to Mr.N.S.KARTHIKEYAN, Advocate (SR-78821[F] dated
31/07/2019)

W.P(MD)Nos.3485, 22862 and 23063 of 2018
29.07.2019

sj

MK (19.08.2019) 6P 19C