



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2021

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P. No. 12646 of 2016
and
W.M.P. No. 11003 of 2016

K. Anandhi rep. by her father
and power of attorney A.S.Ganapathy
S/o.K.Sivanu Nadar
49-B, Surya Avenue, Chrompet,
Chennai - 600 044.

..Petitioner

Versus

1. Union of India
Rep by its Secretary
Ministry of Communication & Information Technology
Electronics Niketan, 6, CGO Complex, Lodhi Road
New Delhi - 110003.
2. Union of India
Rep by its Secretary
Ministry of Environmental Protection & Pollution Control
Parayavaran Bhavan, CGO Complex, Lodhi Road
New Delhi - 110003.
3. The State of Tamil Nadu
Rep by its Secretary
Department of Environment & Forest - EC
Fort St. George, Chennai - 600032
4. Tamil Nadu Pollution Control Board
Rep by its Member Secretary
Anna Salai, Chennai - 600032
5. The Commissioner
Pallavaram Municipality
Pallavaram, Chennai - 600043
6. The Reliance Communication Ltd
Rep by its Managing Director
'H' Block, 1st Floor
DAKC, Navi, Mumbai - 400709



7. R.M. Manivannan

8. K. Vijayasamudeeswari

..Respondents

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Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents 1 to 5 to remove the installation of mobile tower having been erected by the sixth respondent from Plot No. 48 (PART) & 49-A, Surya Avenue, Chrompet, Chennai - 44 belonging to the Respondents - 7 and 8 with a further direction to the 6th respondent to relocate the proposed commissioning of the mobile/cell phone tower in any other suitable place as per the rules and after obtaining mandatory permissions.

For Petitioner : Mr. K. Ravi Anantha Padmanaban

For Respondents : Mr.T.L. Thirumalaisamy
(For R1 & R2)
Central Government Standing Counsel

Mr. Stalin Abhimanyu (For R3)
Government Counsel

Mr. P. Srinivas (For R5)

Mr. Shivakumar (For R6)

No appearance (For R4, R7 & R8)

ORDER

This relief sought in this writ petition is to issue a mandamus directing the respondents 1 to 5 to remove the installation of mobile tower having been erected by the sixth respondent from Plot No.48 (PART)& 49-A, Surya Avenue, Chrompet, Chennai -44 belonging to the respondents 7 and 8 with a further direction to the sixth respondent to relocate the proposed commissioning of the mobile/cell phone tower in any other suitable place as per the rules and after obtaining mandatory permissions.

2.Today, when the matter is taken up for consideration, it is represented by the learned counsel for the sixth respondent that no tower was erected at the subject place and hence, nothing survives for adjudication.

3.Recording the submission so made by the learned counsel



for the sixth respondent, this writ petition stands closed. No costs. Consequently, connected miscellaneous petition is also closed.

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Sd/-
Assistant Registrar(CJ-CONF)

//True Copy//

Sub Assistant Registrar

dhk/rk

To

1. The Secretary
Union of India
Ministry of Communication & Information Technology
Electronics Niketan, 6, CGO Complex, Lodhi Road
New Delhi - 110003.
2. The Secretary
Union of India
Ministry of Environmental Protection & Pollution Control
Parayavaran Bhavan, CGO Complex, Lodhi Road
New Delhi - 110003.
3. The Secretary
The State of Tamil Nadu
Department of Environment & Forest - EC
Fort St. George, Chennai - 600032
4. The Member Secretary
Tamil Nadu Pollution Control Board
Department of Environment & Forest - EC
Anna Salai, Chennai - 600032
5. The Commissioner
Pallavaram Municipality
Pallavaram, Chennai - 600043

+1cc to the Government Pleader, S.R.No.45199

+1cc to Mr.T.L.Thirumalaisamy, Advocate, S.R.No.45306

W.P. No.12646 of 2016

PVS (CO)
RGA(11/10/2021)