



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.02.2021

CORAM:

WEB COPY

THE HON'BLE MR.SANJIB BANERJEE, THE CHIEF JUSTICE
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.(MD) No.3596 of 2021
and
W.M.P. (MD) No.2920 of 2021

Thiyagarajan

... Petitioner

-vs-

1. The District Collector,
Office of the Collectorate,
Tiruchirappalli
Trichy District.
2. The Commissioner,
Srirangam Municipality,
Srirangam, Trichy.
3. The Inspector of Police,
Srirangam Police Station,
Trichy.
4. Indus Towers Ltd.,
represented by its Authorized Signatory,
Circle Office, ESPEE IT Park, 5 (N.P),
5th Floor, Jawaharlal Nehru Road,
Ekkathuthangal,
Chennai - 600 032.

5. V.Sudarsan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents 1 and 2 to inspect the site at Plot.36, West Subramaniapuram, Srirangam, Trichy and give due consideration to the objections of the residence of West Subramaniapuram, Srirangam, Trichy and thereafter, accord permission to the fourth respondent in accordance with law laid down by this Court in W.P(MD)Nos.15974 and 21631 of 2017, etc., batch, on 29.08.2019 and further direct the respondents 1 and 2 to take appropriate action against the fourth respondent in and over the violation of law in erecting the cell phone tower.



For Petitioner : Mr.V.Balamurugane
For Respondents 1 to 3 : Mr.K.P.Krishnadoss
Special Government Pleader
For Respondent 4 : Mr.K.Govindarajan

WEB COPY

O R D E R

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

The petitioner complains that a mobile tower is being set up in an unauthorized manner and the official respondents have turned a deaf ear to the complaints relating thereto.

2. The petitioner is permitted to carry a written representation to the District Collector within four weeks from the date, whereupon the District Collector will consider the representation in accordance with law and upon affording an opportunity of hearing to all the concerned who are likely to be affected by his order. The District Collector will pass a reasoned decision in such regard. The reasoned decision of the District Collector should be communicated to the petitioner within six weeks from the date of receipt of the representation.

3. W.P.(MD) No.3596 of 2021 is disposed of without any order as to costs. W.M.P.(MD) No.2920 of 2021 is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

KRK/SSL

Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1. The District Collector,
Office of the Collectorate,
Tiruchirappalli,
Trichy District.

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



2. The Commissioner,
Srirangam Municipality,
Srirangam,
Trichy.

WEB COPY

3. The Inspector of Police,
Srirangam Police Station,
Trichy.

+1 CC to Mr.K.GOVINDARAJAN, Advocate (SR-7062[F] dated 24/02/2021)

+1 CC to THE SPECIAL GOVERNMENT PLEADER(SR-7261[F] dated 25/02/2021)

Order made in
W.P. (MD) No.3596 of 2021 and
W.M.P. (MD) No.2920 of 2021
24.02.2021

KUN (CO)
SRS (03/03/2021) 3P : 6C