



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2021

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.(MD)No.16283 of 2020

and

W.M.P.(MD)No.13617 of 2020

WEB COPY

Venkateshan, S/o.Koodalsamy

... Petitioner

Vs.

1.The District Collector,
Tuticorin District,
Tuticorin.

2.The Revenue Divisional Officer (RDO),
Kovilpatti Taluk,Tuticorin.

3.The Tahsildar,
Kovilpatti Taluk,Tuticorin.

4.The Block Development Officer (BDO),
Kovilpatti Taluk,Tuticorin.

5.Indus Tower Limited Chennai,
ESPEE IT Park,No.5, 5th Floor,
Inner Ring Road,Ekkatuthangal,
Chennai - 32.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 4 herein do not permit the fifth respondent for constructing of Mega Cell Phone Tower at Athaikondan, Kovilpatti Taluk, Tuticorin District and consequently, to direct the first respondent herein to hear the objection of the petitioner before construction of Mega Cell Phone Tower.

For Petitioner : Mr.P.Subbaraj

For R1 to R3 : Mr.K.Mu.Muthu
Additional Government Pleader

For R4 : Mr.Muthukaruppan
Additional Government Pleader

For R5 : Mr.Govindarajan



ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

The petitioner has come forward to file this Writ Petition as a Public Interest Litigation, seeking a direction to respondent Nos.1 to 4 to forbear Respondent No.5, not to construct Mega Cell Phone Tower at Athaikondan, Kovilpatti Taluk, Tuticorin District.

2.The learned Additional Government Pleader appearing for respondent Nos.1 to 3 submitted that the permission for erection of Mega Cell Phone Tower has been rejected by respondent No.2.

3.In view of the same, nothing survives for further adjudication in this Writ Petition, as obviously, respondent No.5 cannot start the work without permission. Therefore, this Writ Petition is closed. No costs. However, liberty is given to respondent No.5 to challenge the rejection order, if they are so advised. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Smn2

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,Tuticorin District,Tuticorin.

2.The Revenue Divisional Officer (RDO),Kovilpatti Taluk,Tuticorin.

3.The Tahsildar,Kovilpatti Taluk,Tuticorin.

4.The Block Development Officer (BDO),Kovilpatti Taluk,Tuticorin.

+1 CC to M/s.GP (SR-2414[F] dated 29/01/2021)

+1 CC to M/s.K.GOVINDARAJAN, Advocate (SR-2320[F] dated 29/01/2021)

+1 CC to M/s.P.SUBBARAJ, Advocate (SR-2327[F] dated 29/01/2021)

W.P. (MD)No.16283 of 2020

27.01.2021

(ES) CO

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