



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2021

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P(MD)NO.20868 OF 2021
and
W.M.P(MD)No.17482 of 2021

Jayaprakash Mani

:Petitioner

.vs.

1.The District Collector,
Office of the District Collector,
Tenkasi District,
Tenkasi.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Tenkasi District,
Tenkasi.

3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Tenkasi Sub-Division,
Tenkasi District.

4.The Inspector of Police,
Ilathur Police Station,
Ilathur,
Tenkasi District.

5.Prasanna,
Assistant Legal Manager,
M/s.Indus Tower Limited,
Circle Office, 5(NP) ESPEE, IT Park,
5th Floor, Jawaharlal Nehru Road,
Ekkatuthangal,
Chennai - 600 097.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the respondents, their men and agents from erecting any Cellphone Tower and Power Up amidst or in the vicinity of the residential area comprised in S.No.382/11, situated at

<https://hccastprodts.gov.in/hccastprodts/>



Duraisampuram, Kadayanallur Taluk, Tenkasi District on the basis of the Petitioner's representation, dated 13.11.2021.

For Petitioner :Mr.Niranjana S.Kumar
for M/s.S.Sathyachidambaram
For Respondents :Mr.P.Subbaraj
1 to 4 Special Govt.Pleader
For Respondent-5 :Mr.K.Govindarajan

O R D E R

(Order of the Court was made by PUSHPA SATHYNARAYANA, J)

This Writ Petition is filed seeking issuance of a Writ of Mandamus forbearing the respondents, their men and agents from erecting any Cell-phone Tower and Power Up amidst or in the vicinity of the residential area located in the property comprised in S.No.382/11, situated at Duraisampuram, Kadayanallur Taluk, Tenkasi District on the basis if the Petitioner's representation, dated 13.11.2021.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.Upon notice, the learned counsel appearing on behalf the fifth respondent states that the District Collector, Tenkasi District, who is the Licencing Authority, has approved the installation and operation of the Cell-phone Tower by order, dated 7.9.2021 in six locations. The location in question is shown as S.No.382/11, situated at Duraisampuram, Kadayanallur Taluk, Tenkasi District.

4.Even before the Petitioner came to this Court, the approval has been granted by the District Collector concerned. Therefore, the Writ Petition has become infructuous. Therefore, it is open to the Petitioner to work out his remedy, other wise, in the manner known to law.

5.With the above observation, the Writ Petition stands closed. No costs. Consequently, connected Miscellaneous Petition is closed.

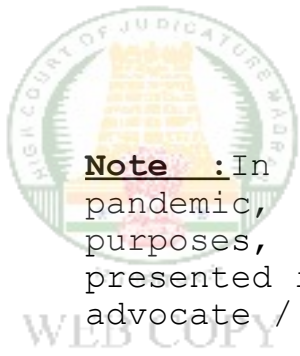
Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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 District Collector,
Tenkasi District,
Tenkasi.
2. The Superintendent of Police,
Office of the Superintendent of Police,
Tenkasi District,
Tenkasi.
3. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Tenkasi Sub-Division,
Tenkasi District.
4. The Inspector of Police,
Ilathur Police Station,
Ilathur,
Tenkasi District.

+1 CC to M/s.SPL GP (SR-36481[F] dated 30/11/2021)

+1 CC to M/s.T.N.KARTHIKEYAN, Advocate (SR-36665[F] dated 01/12/2021)

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and
W.M.P (MD) No.17482 of 2021
29.11.2021

TSK(CO)
KB(09.12.2021) 3P 7C