



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.Nos.21222 & 6978 of 2016
and W.M.P.Nos. 18137, 6193 & 18138 of 2016

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W.P.No.21222 of 2016
Indus Towers Limited
Rep. by its Authorized Signatory
No.5, ESPEE IT Park, Fifth Floor,
Jawaharlal Nehru Road,
Ekkatuthangal,
Chennai-600 097

... Petitioner

Vs.

1. Tamilnadu Generation and
Distribution Corporation Limited, Rep. by its Chairman,
A Public Sector Undertaking and
established under the provisions
of the Companies Act, 1956,
having its Office at: 822 Anna Salai,
Chennai-600002
2. The Superintendent Engineer,
No.5A, Block 144, Anna Salai,
Chennai-600 002
3. The Assistant Executive Engineer, TANGEDCO
No.4/1 First Main Road,
MMDA Colony,
Mduravoyal North,
Chennai-600095
4. The Assistant Engineer,
Tamilnadu Electricity Board,
No.4/1 First Main Road,
MMDA Colony,
Mduravoyal North,
Chennai-600 095
5. S.Mallika

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the
Constitution of India, to issue a Writ of Certiorarified
Mandamus, calling for the records of the 3rd respondent



culminated in the order dated 24.02.2016 bearing No.777 and quash the same and consequentially direct the 3rd respondent to provide Electricity Connection to the petitioner mobile phone tower at Plot No. 54/2, Sokaanathar Nagar 2nd Street, (Karthikeyan Nagar), Maduravoyal, Chennai, on the basis of its Application dated 21.08.2015.

W.P.No.6978 of 2016

S.Mallika

...Petitioner

Vs.

- 1.The Secretary,
Department of Telecommunication,
Govt. Of India, New Delhi.
- 2.The Secretary,
Ministry of Information & Broadcasting,
Govt. of India, New Delhi
- 3.The Telecom Regulatory Authority of India,
Mahanagar Doorsanchar Bhawan
(next to Zakir Hussain College)
Jawaharlal Nehru Marg (Old Minto Road)
New Delhi: 110 002
- 4.The Commissioner,
Chennai Corporation, Chennai.
- 5.The District Collector,
Chennai District Chennai.
- 6.Tamil Nadu Pollution Control board,
76, Mount Road, Guindy,
Chennai-600032
- 7.The Chairman,
Tamilnadu Generation and
Distribution Corporation Limited,
A Public Sector Undertaking and
established under the provisions
of the Companies Act, 1956,
having its Office at: 822, Anna Salai,
Chennai-600002.
8. The AEE, TANGEDCO,
No.4/1, I Main Road, MMDA Colony
Madhuravoyal North, Chennai - 6000095.
9. The Assistant Engineer
Tamilnadu Electricity Board
No.4/1, I Main Road, MMDA Colony
Madhuravoyal North, Chennai - 6000095.
- 10.The Superintendent Engineer
No.5A Block 144, Annal Salai,
Chennai 600002.



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11.The Director,
Fire & Rescue service,
NO.1, Greams Road,
Thousand Lights,
Chennai 600006.

12.S.Geethanjali.

13.Indus Tower Limited,
No., ESPEEE IT Park, Fifth Floor,
Jawaharlal Nehru Road,
Ekkatuthangal, Chennai 600097.

14.The Officer-In-Charge,
Vodafone India Ltd,
"Indus Towers" Espee IT Part, 5th Floor,
Thiru Vi Ka Industrial Estate,
Ekkatuthangal, Chennai 600097.

...Respondents

PRAYER : Writ Petition filed Under Article 226 of the
Constitution of India, to issue a Writ of Mandamus directing the
respondent 4 & 5 to remove the illegal cell phone tower at
No.54, (New No.54 Door No.2), Sokkanathan Nagar 2nd Street,
(Karthikeyan Nagar), Maduravoyal, Chennai 600095.

For Petitioners : Mr.Vandhiya Dev
for M/S.BPS Legal
(W.P.No.21222 of 2016)
Mr.S.Chandrasekar
for M/S.R.V.Sivaraman
(W.P.No.6978 of 2016)

For Respondents : Mr.L.Jai Venkatesh
[R1 to R4 in W.P.No.21222 of 2016]
[R7 to R10 in W.P.No.6978 of 2016]
Mr.S.Chandrasekar [For R5]
[W.P.No.21222 of 2016]
Mr.T.Vekatesh Kumar SPL GP (For R5 & R11)
[W.P.No.6978 of 2016]
Mr.Shanmugavalli Sekar (R6)
Standing Counsel
(W.P.No.6978 of 2016)
Mr.Vandhiya Devi [R12 & R13]
for M/S.BPS Legal
(W.P.No.6978 of 2016)

O R D E R



The learned counsel for the 5th respondent made a submission that the tower erection in the subject premises had already been removed and therefore, the cause became vanished. Thus, no further adjudication needs to be entertained.

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2. Accordingly, the Writ Petition stands disposed of as infructuous. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

shr/ska

To

1. The Chairman,
Tamilnadu Generation and
Distribution Corporation Limited,
A Public Sector Undertaking and
established under the provisions
of the Companies Act, 1956,
having its Office at: 822 Anna Salai,
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2. The Superintendent Engineer,
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Chennai-600 002
3. The Assistant Executive Engineer, TANGEDCO
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MMDA Colony,
Mduravoyal North,
Chennai-600095
4. The Assistant Engineer,
Tamilnadu Electricity Board,
No.4/1 First Main Road,
MMDA Colony,
Mduravoyal North,
Chennai-600 095
- 5.The Secretary,
Department of Telecommunication,
Govt. Of India, New Delhi.
- 6.The Secretary,
Ministry of Information & Broadcasting,
Govt. of India, New Delhi



7.The Telecom Regulatory Authority of India,
Mahanagar Doorsanchar Bhawan
(next to Zakir Hussain College)
Jawaharlal Nehru Marg (Old Minto Road)
New Delhi: 110 002

8.The Commissioner,
Chennai Corporation, Chennai.

9.The District Collector,
Chennai District Chennai.

10.Tamil Nadu Pollution Control board,
76, Mount Road, Guindy,
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Tamilnadu Generation and
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Tamilnadu Electricity Board
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14.The Superintendent Engineer
No.5A Block 144, Anna Salai,
Chennai 600002.

15.The Director,
Fire & Rescue service,
NO.1, Greaves Road,
Thousand Lights,
Chennai 600006.

+1 cc to Mr.Shanmugavalli Sekar , Standing Counsel Sr.NO. 3658

+1 cc to Government Pleader Sr.NO. 3722

W.P.Nos.21222 & 6978 of 2016
and W.M.P.Nos. 18137, 6193 & 18138 of 2016

MT(CO)

A.SK(09.02.2022)