



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.27927 of 2014

M.P.No.1 of 2014

M.Ravi

...Petitioner

Vs.

1. The District Collector,
Collectorate, Tiruvallur,
Tiruvallur.
2. The Tahsildar,
Ponneri,
Thiruvallur District.
3. The Manager,
"Reliance Tower Admin",
No.89, Dr.Radhakrishnan Road,
Mylapore, Chennai - 600 004.
4. Mr.C.Alayasamy

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 and 2 herein to take suitable action to prevent the construction work of erecting the mobile radiation tower by the third and fourth respondents in the land at Padianallur Colony in S.No.371/7, Thiruvallur District by issuing appropriate orders.

For petitioner : Mr.G.Thangavel

For Respondents : Mr.R.Vigneswaran (for R.1 & R.2)
Government Advocate
Mr.P.J.Rishikesh (for R.3)



ORDER

The petitioner has filed this petition seeking direction to the respondents 1 and 2 herein to take suitable action to prevent the construction work of erecting the mobile radiation tower by the third and fourth respondents in the land at Padianallur Colony in S.No.371/7, Thiruvallur District by issuing appropriate orders.

2. Mr.Vigneswaran, learned Government Advocate takes notice for the respondents 1 & 2. In view of the limited relief sought for in this petition and on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. Since, no adverse order is being passed against the third and fourth respondents, notice to the third and fourth respondent is dispensed with.

4. The case of the petitioner is that the third respondent had erected the Telephone Tower in the place of the fourth respondent without obtaining proper permissions from the authorities concerned. Objecting the same, the petitioner made a representation dated 29.09.2014, before the first respondent. However, till date no action has been taken by the respondents on the representation made by the petitioner. Hence, the present Writ Petition has been filed by the petitioner for the above relief.

5. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the first respondent to consider the petitioner's representation dated 29.09.2014, within the time frame that may be fixed by this Court.

6. The learned Special Government Pleader appearing for the respondents submits that the petitioner's representation dated 29.09.2014, will be considered by the first respondent within the time frame that may be fixed by this Court.

7.The learned counsel appearing for the third respondent submits that, the third respondent had erected the telephone tower in the fourth respondent's land only after obtaining permissions from the competent authorities.

8. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the first respondent to consider the petitioner's representation dated 29.09.2014, and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order,



after affording an opportunity to the third respondent.

9. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

tri/jd

To

1.The District Collector,
Collectorate, Tiruvallur,
Tiruvallur.

2.The Tahsildar,
Ponneri,
Thiruvallur District.

+1cc to Mr.P.J.Rishikesh, Advocate SR. No.22891

+1cc to Government Pleader SR. No.23416

W.P.No.27927 of 2014

M.P.1 of 2014

PMK (CO)

PR (13/04/2022)