



W.P.No.26490 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.10.2022

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.26490 of 2022

P.Uthayakumar

.. Petitioner

vs.

1. The District Collector,  
Tiruvallur District,  
Tiruvallur.

2. M/s.Reliance Jio Infocom Limited  
having the Circle Office at A1, Tower,  
8<sup>th</sup> Floor, B9-90, Dr.Radhakrishnan Salai,  
Mylapore, Chennai-600 004.

3. Karthikesan

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India  
praying for issuance of a Writ of Mandamus, directing the respondent No.1  
to consider the representation of the petitioner dated 15.09.2022 by holding a



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public hearing regarding the proposed installation of a Cell Phone Tower in Poorani Nagar, Morai Village, Tiruvallur District-600 055 and decide the same within a reasonable time fixed by this Court.

For Petitioner :: Mr.M.Radhakrishnan

for Mr.P.Pugalenth

For 1<sup>st</sup> Respondent :: Mrs.R.Anitha, Spl.G.P.

### ORDER

(Order of the Court was made by the Hon'ble Acting Chief Justice)

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, directing the 1<sup>st</sup> respondent to consider the representation of the petitioner dated 15.09.2022 by holding a public hearing regarding the proposed installation of a Cell Phone Tower in Poorani Nagar, Morai Village, Tiruvallur District-600 055 and decide the same within a reasonable time stipulated by this Court.

2. The claim of the petitioner is that installation of a Cell Phone Tower in Poorani Nagar would cause health hazards to the people in general,



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elders and children in particular. Therefore, it is an obligation on the part of the 1<sup>st</sup> respondent to hold a public hearing in Poorani Nagar before permitting installation of a Cell Phone Tower in that area since the same involves emission of high level radiation. Although there are no scientific data to the effect that installation of cell phone towers in particular area would cause health hazards to the residents of the area, the same cannot be totally ruled out. On the other hand, the scientific studies regarding the effects of high radiation emanating from cell phone towers are still going on. Therefore, the petitioner has given a detailed representation dated 15.09.2022 requesting the 1<sup>st</sup> respondent, namely, the District Collector, Tiruvallur District, Tiruvallur, to hold a public hearing against the proposed installation of a Cell Phone Tower in Poorani Nagar, Morai Village, Tiruvallur District-600 055. Finding no response for the same, the petitioner has approached this Court with the present Writ Petition.

3.Mrs.R.Anitha, learned Special Government Pleader taking notice for the 1<sup>st</sup> respondent producing the written instructions received from the 1<sup>st</sup>



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respondent submitted that till date, to erect new 5G Jio Cell Phone Tower in Plot No.24, Poorani Nagar, Morai Village, Tiruvallur District, no one has applied seeking permission to the competent authority, namely, the District Collector. Therefore, if anyone comes forward seeking permission to erect any Cell Phone Tower, the objections, if any, made before the District Collector would be considered after holding a public hearing.

4. Recording the said submission of the learned Special Government Pleader for the 1<sup>st</sup> respondent, the Writ Petition is disposed of. No costs.

(T.R.,A.C.J.) (D.K.K, J.)

12.10.2022

Index : Yes/No

tsi

To  
The District Collector,  
Tiruvallur District,  
Tiruvallur.



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THE HON'BLE ACTING CHIEF JUSTICE

AND

D.KRISHNAKUMAR, J.,

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