



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.3776 of 2022

and

W.M.P.(MD)No.3284 of 2022

WEB COPY

Shanmugam

... Petitioner

vs.

1.The District Collector,
Kanaykumari District,
Ramavarmapuram, Nagercoil.

2.The Superintendent of Police,
District Police Office,
Kanyakumari District, Nagercoil.

3.The Tahsildar,
Kalkulam Taluk, Office at Thuckalay,
Thuckalay Post, Kanyakumari District.

4.The Manager,
AIRTEL Private Limited,
Kanyakumari District.

5.Amirthanesan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent herein to take appropriate action against the illegal erection of Base Trans Receiver Station/Tower in S.No.553/11, Nullivilai Village, Kalkulam Taluk, Kanyakumari District by considering the representation of the petitioner dated 01.02.2022.

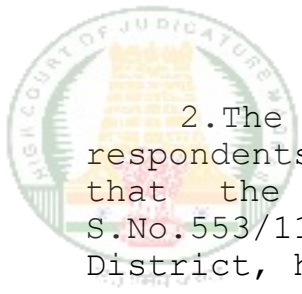
For Petitioner :Mr.K.P.Krishna Doss

For R1 to R3 :Mr.T.Amjadh Khan
Government Advocate

For R5 :Mr.J.John Jeyakumar

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the first respondent herein to take appropriate action against the illegal erection of Base Trans Receiver Station/Tower in S.No.553/11, Nullivilai Village, Kalkulam Taluk, Kanyakumari District by considering the representation of the petitioner dated 01.02.2022.



2.The learned Government Advocate appearing for the official respondents has received instructions from the Tahsildar informing that the erection of Base Trans Receiver Station/Tower in S.No.553/11, Nullivilai Village, Kalkulam Taluk, Kanyakumari District, has been stopped.

3.Since the prayer sought for in this Writ Petition has been achieved by the petitioner, no further orders need to be passed by this Court.

4.After recording the statement made by the learned Government Advocate on instructions, this Writ Petition is disposed of. Liberty is granted to the petitioner, in case, any violation is committed by the fourth respondent in the near future with regard to the erection of Base Trans Receiver Station/Tower in S.No.553/11, Nullivilai Village, Kalkulam Taluk, Kanyakumari District to challenge the same in the manner known to the petitioner under law. It is made clear that only after the fourth respondent satisfies with the statutory requirements, the fourth respondent shall be permitted to erect the Base Trans Receiver Station/Tower in S.No.553/11, Nullivilai Village, Kalkulam Taluk, Kanyakumari District. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cmr

To

1.The District Collector,
Kanyakumari District,
Ramavarmapuram, Nagercoil.

2.The Superintendent of Police,
District Police Office,
Kanyakumari District, Nagercoil.

3.The Tahsildar,
Kalkulam Taluk, Office at Thuckalay,
Thuckalay Post, Kanyakumari District.

+1 CC to M/s.K.P. KRISHNADOSS, Advocate (SR-21125[F] dated 26/04/2022)

+1 CC to M/s.SPL.GP. (SR-21306[F] dated 26/04/2022)

W.P. (MD)No.3776 of 2022

22.04.2022

RK(05/05/2022) 2P 6C

<https://hcservices.ecourts.gov.in/hcservices/>