



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 28.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P (MD) No. 8433 of 2022

K.Syed Mohamed Buhari

.. Petitioner

Vs

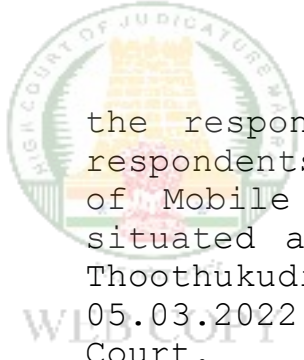
1. The District Collector,
Thoothukudi,
Thoothukudi District.
2. The Revenue Divisional Officer,
Thiruchendur,
Thoothukudi District.
3. The Tahsildar,
Tiruchendur,
Thoothukudi District.
4. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
C7, C9, Sipcot Industries Company,
Meelavittan, Thoothukudi - 8.
5. The Municipal Commissioner,
Kayalpattinam Municipality,
Thoothukudi District.
6. The Inspector of Police,
Arumuganeri Police Station,
Thoothukudi District.
7. The Manager,
Bharti Airtel Ltd (Regional Office),
101 Oceanic Towers 8th Floor,
Santhome High Road, Santhome,
Chennai - 600 004.

8. Thoubek

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution
of India praying for the issuance of a Writ of Mandamus directing

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



the respondents 1 to 6 herein to take necessary steps against respondents 7 and 8 respondents herein from further construction of Mobile Phone Tower at baring in Survey No.620/17 which is situated at Koman East Street, Kayalpattinam, Tiruchendur Taluk, Thoothukudi District based on the petitioner representation dated 05.03.2022 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.A.D.Ganeshamoorthi
 For Respondents : Mr.K.Balasubramani,
 Special Government Pleader
 for R1 to R3, R6
 : Ms.Vijayakumari Natarajan for R4
 : Mr.K.Govindarajan for
 Mr.Karl Marx for R7

ORDER

[Made by PARESH UPADHYAY, J.]

1. This petition is styled as public interest litigation.
2. The prayer clause in the writ petition reads as under:-
 "Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 to 6 herein to take necessary steps against respondents 7 and 8 herein from further construction of Mobile Phone Tower at baring in Survey No.620/17 which is situated at Koman East Street, Kayalpattinam, Tiruchendur Taluk, Thoothukudi District based on the petitioner representation dated 05.03.2022 within the time limit that may be stipulated by this Court."

3. Though learned advocate for the petitioner has attempted to address the Court on merits of the matter, we find prima facie that, the relief sought in this petition can not be said to be in public interest in any manner and the stakes involved in the matter would also show something short of bonafide on the part of the writ petitioner. Learned advocate for the petitioner had even attempted to request for adjournment, which also we are not inclined to grant.

4. Learned advocate for the petitioner was also asked to address the Court with regard to imposition of costs. At this stage, he has submitted that the petitioner is running a petty shop. Considering this, we have restrained ourselves from imposing any costs.



5. W.P.(MD) No. 8433 of 2022 is dismissed. No costs. WMP (MD) No.6224 of 2022 would not survive.

Sd/-

Assistant Registrar(AD II)

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/ /2022

Sub Assistant Registrar(CS)

ssm/28

To

1. The District Collector,
Thoothukudi, Thoothukudi District.
2. The Revenue Divisional Officer,
Thiruchendur, Thoothukudi District.
3. The Tahsildar,
Tiruchendur, Thoothukudi District.
4. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
C7, C9, Sipcot Industries Company,
Meelavittan, Thoothukudi - 8.
5. The Municipal Commissioner,
Kayalpattinam Municipality,
Thoothukudi District.
6. The Inspector of Police,
Arumuganeri Police Station,
Thoothukudi District.

+1 CC to M/s.VIJAYAKUMARI NATARAJAN, Advocate
(SR-22200[F] dated 28/04/2022)

+1 CC to M/s.N. RAJARAJAN, Advocate
(SR-22420[F] dated 29/04/2022)

+1 CC to M/s.M.KARAL MARX, Advocate
(SR-22648[F] dated 29/04/2022)

+1 CC to M/s.SPL. GOVERNMENT PLEADER
(SR-23047[F] dated 29/04/2022)

W.P(MD) No.8433 of 2022
28.04.2022