



WP.No.19723 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUIMAR

WP.No.19723 of 2016
and W.M.P.No.17064 of 2016

B.Antony David

.. Petitioner

Versus

1.The District Collector
Nilgris District
Nilgris

2.The Superintendent of Police
Nilgris District
Nilgris

3.The Commissioner
Udhagamandalam Municipal Corporation
Municipality Office
Udhagamandalam

4.P.Divya

5.M/s.Indus Towers Limited
Rep by its Director
having Circle Office at
5(NP), ESPEE IT Park
5th Floor, Jawaharlal Nehru Road
Ekkattuthangal
Chennai – 97

.. Respondents



WP.No.19723 of 2016

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to take action against the erection of cell tower on the illegal structure belongs to the fourth respondent herein bearing No.182, Vivekananda Nagar, Tamilagam Road, Ooty situated within the municipal limits of Udthagamandalam by the fifth respondent.

For Petitioner : Mr.M.Santhanaraman

For Respondents : Mr.S.Rajesh for R1 & 2
Government Advocate
Mr.P.Srinivas for R3
Mr.C.E.Prathap for R4
Mrs.S.P.Arthi for R5

ORDER

This writ petition is filed seeking for the issuance of Writ of Mandamus to direct the respondents 1 to 3 to take action against the erection of cell tower on the illegal structure belongs to the fourth respondent herein bearing No.182, Vivekananda Nagar, Tamilagam Road, Ooty situated within the municipal limits of Udthagamandalam by the fifth respondent.

2. The learned counsel for the fifth respondent submitted the tower has been removed from the subject place, whereas, the learned counsel for the petitioner also submitted that the tower has been removed.



WP.No.19723 of 2016

3. Such view of the matter, since, the tower has been removed, nothing survives for adjudication in this writ petition and the same is dismissed as infructuos. No costs. Consequently, connected miscellaneous petition is closed.

08.02.2023

dhk

Index:Yes/No

Internet: Yes/No

To

1.The District Collector
Nilgris District
Nilgris

2.The Superintendent of Police
Nilgris District
Nilgris

3.The Commissioner
Udhagamandalam Municipal Corporation
Municipality Office
Udhagamandalam



WEB COPY



WP.No.19723 of 2016

N.SATHISH KUMAR, J.

dhk

W.P.No.19723 of 2016

08.02.2023