



WP No.13860 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.13860 of 2019
and WMP No.13935 of 2019

S.Thiyagu

.. Petitioner

-vs-

1. The District Collector,
Coimbatore South 641 018.
2. The Revenue Divisional Officer,
Coimbatore 641 029.
3. The Tahsildar,
Coimbatore 641 018.
4. Reliance Jio Infocomm Ltd.,
No.234, Race Course Road,
Gopalapuram, Coimbatore 641 018.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to forbear the 4th respondent, their men, agents and persons claiming through them herein from erecting cell phone tower and installation of any equipment, gadget appurtenant to the above said tower in MIG No 588, Gandhi Managar, Peelamedu, Coimbatore-641 001 by considering the representation dated 20.03.2019 and other consequential relief.



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For the Petitioner : Mr.R.Karthikeyan
For the Respondents : Mr.K.Karthik Jagannath
Government Advocate
for RR 1 to 3
: Mr.N.R.Anantha Rama Krishnan
for R-4

* * * * *

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.R.Karthikeyan, learned counsel for the petitioner, Mr.K.Karthik Jagannath, learned Government Advocate for respondent Nos.1 to 3 and Mr.N.R.Anantha Rama Krishnan, learned counsel for respondent No.4.

2. The learned counsel for the petitioner submits that respondent No.4 has installed cell phone tower illegally without permission. The generator is also placed in an erroneous manner and within the prohibited area.



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3. The learned Government Advocate, on instructions, submits that respondent No.4 has been granted permission for the installation of cell phone tower on 20.09.2022.

4. In view of that, the grievance of the petitioner with regard to erection/installation of the cell phone tower would not now subsist.

5. With regard to the positioning of the generator, the petitioner may approach the authorities concerned. The authorities shall consider the grievance of the petitioner in that regard, of course, after notice to respondent No.4 and take decision accordingly.

The writ petition is disposed of. There will be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(D.B.C., J.)

18.12.2023

Index : Yes/No
Neutral Citation : Yes/No
sra



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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(sra)

To

1. The District Collector,
Coimbatore South 641 018.
2. The Revenue Divisional Officer,
Coimbatore 641 029.
3. The Tahsildar,
Coimbatore 641 018.

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