



W.P.No.14819 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.14819 of 2020

And

W.M.P.No.18420 of 2020

G.K.Ravi

... Petitioner

Vs.

1.The District Collector,
Thiruvallur District,
Thiruvallur – 602 001.

2.The Commissioner,
Avadi Corporation,
Avadi,
Chennai – 600 054.

3.The Thasildar
Avadi Taluk,
Pattabiram Hindu College Back side,
Chennai – 600 072.

4.The Inspector of Police,
Thirumullaivayol Police Station
Thirumullaivoyal,
Chennai – 600 109.

5.The Assistant Engineer,
O&M, Senthil Nagar,
TNANGEDCO,
Chennai – 600 062.

6.M/s.Ascend Telecom Infrastructure
Private Limited

... Respondents



W.P.No.14819 of 2020

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the first respondent to consider the representation of the petitioner dated 28.08.2020 and to direct the first respondent to take action against the sixth respondent to remove the Cell Tower erected at No.1, Thirukural Main Road, near Bharath Matric High School, Sri Sakthi Nagar, Thirumullaivoyal Village, Annanur.

For Petitioner : Mr.P.Chandrasekar

For Respondents : Mrs.N.Senthil Selvi for R1, R3, R4
Government Advocate
Mr.R.Gopinath for R2
Mr.L.Jaivenkatesh for R5
TANGEDCO
Mr.A.M.Venkatakrisnan for R6

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus to direct the first respondent to consider the representation of the petitioner dated 28.08.2020 and to direct the first respondent to take action against the sixth respondent to remove the Cell Tower erected at No.1, Thirukural Main Road, near Bharath Matric High School, Sri Sakthi Nagar, Thirumullaivoyal Village, Annanur.



W.P.No.14819 of 2020

WEB COPY

2.The case of the petitioner is that the sixth respondent erected cell phone tower deviating the safety guidelines issued by the Government and hence, the petitioner made representation to the first respondent seeking to not to allow the tower to function and to direct the sixth respondent to shift the tower and to install it in some other place, however, the representation has not yet been considered. Hence, this writ petition.

3.The learned counsel appearing for the petitioner submitted that this Court may issue direction to the first respondent to consider the petitioner's representation dated 28.08.2020 and to pass appropriate orders within a reasonable time frame.

4.Considering the limited request made by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the case, directs the first respondent to consider the petitioner's representation dated 28.08.2020, on merits and in accordance with law and to pass appropriate orders after providing opportunity to the petitioner and the sixth respondent, within a period of twelve weeks from the date of receipt of a copy of



W.P.No.14819 of 2020

this order.

WEB COPY

5.This writ petition is accordingly disposed of. No costs.
Consequently, the connected miscellaneous petition is closed.

16.06.2023

pri

Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

To

- 1.The District Collector,
Thiruvallur District,
Thiruvallur – 602 001.
- 2.The Commissioner,
Avadi Corporation,
Avadi,
Chennai – 600 054.
- 3.The Thasildar
Avadi Taluk,
Pattabiram Hindu College Back side,
Chennai – 600 072.
- 4.The Inspector of Police,
Thirumullaivayol Police Station
Thirumullaivoyal,
Chennai – 600 109.
- 5.The Assistant Engineer,
O&M, Senthil Nagar,
TNANGEDCO,
Chennai – 600 062.

4/5



WEB COPY



W.P.No.14819 of 2020

M.DHANDAPANI,J.
pri

W.P.No.14819 of 2020
And
W.M.P.No.18420 of 2020

16.06.2023