



W.P.No.28747 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.28747 of 2022

Bharathi Nagar Public Welfare Association,
rep. by Mahalingam,
5th Street, Bharathi Nagar,
Muthapudupet, IAF Avadi,
Chennai-55.

.. Petitioner

Vs

1.The District Collector,
Master Complex Building,
Thiruvallur District-602 001.

2.The Tahsildar,
Avadi Taluk Office,
Avadi, Chennai-600 054.

3.The Commissioner-Avadi City Corporation,
Avadi Corporation Office-600 054.

4.The Inspector of Police,
Muthapudupet Police Station,
IAF Avadi, Chennai-600 055.

5.Dhamodharan

.. Respondents



W.P.No.28747 of 2022

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to direct the first respondent to dispose the petitioner's representation dated 8.8.2022 to conduct inspection and an enquiry on the threats posed in erecting the BTS tower.

For the Petitioner : Mr.D.Sathyanarayanan
for M/s.SB and Partners

For the Respondents : Mrs.R.Anitha
Spl. Government Pleader
for respondents 1, 2 and 4

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.D.Sathyanarayanan, learned counsel for the petitioner and Mrs.R.Anitha, learned Special Government Pleader for respondents 1, 2 and 4.

2. The present writ petition is misplaced.

3. According to learned Special Government Pleader, no tower has been erected.



W.P.No.28747 of 2022

WEB COPY

4. As the tower has not been erected by the fifth respondent, no permission has been granted.

5. In the light of that, there was no cause of action for filing the present writ petition. If at all permission is sought and the same is granted, the petitioner has a right under the Indian Telegraph Act, 1885 to raise an objection before the appropriate authority.

6. With the above observation, the writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.No.28037 of 2022 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

20.06.2023

Index : Yes/No
Neutral Citation : Yes/No
bbr



WEB COPY



W.P.No.28747 of 2022



W.P.No.28747 of 2022

To:

WEB COPY

- 1.The District Collector,
Master Complex Building,
Thiruvallur District-602 001.
- 2.The Tahsildar,
Avadi Taluk Office,
Avadi, Chennai-600 054.
- 3.The Commissioner-Avadi City Corporation,
Avadi Corporation Office-600 054.
- 4.The Inspector of Police,
Muthapudupet Police Station,
IAF Avadi, Chennai-600 055.



WEB COPY



W.P.No.28747 of 2022

THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKEVALU, J.

bbr

W.P.No.28747 of 2022

20.06.2023