



WEB COPY



W.P.No.33141 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 24.11.2023

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.33141 of 2023

Gurunagar and Guru Dhakshinamoorthy
Welfare Association,
rep. by its President
Mr.J.Senthil Kumar

... Petitioner

Vs

1 The District Collector,
Thiruvarur Collector Office premises,
Thiruvarur.

2. M/s.Tower Vision India Private Ltd.,
rep. by its Authorised Signatory
Mr.R.M.Nagappan – Circle Head
Having office at Basement No.28,
AMG Towers, Lawyer Jaganathan Street,
Alandur, Chennai – 600 016.

3. Mr.K.Ragavan
4. Mrs.Anandavalli

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus directing the 1st respondent to dispose of



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the petitioner's representation dated 21.06.2023 followed by representation dated 30.10.2023 in accordance with law.

For Petitioner : Mr.J.Nandagopal

For Respondents : Mr.M.Rajendran
Additional Government Pleader - R1

ORDER

The petitioner has sought a mandamus directing disposal of its representation dated 21.06.2023, followed by a reminder dated 30.10.2023. The petitioner is an association of residents of houses situated at Thanjavur Bye pass Road, Thiruvarur Town. The petitioner association is aggrieved by the attempts made by the respondents to install a cell phone tower in their neighbourhood and their representation sets forth the grievances in this regard.

2. Mr.M.Rajendran, learned Additional Government Pleader accepts notice for R1, being District Collector, Thiruvarur and is armed with instructions to enable final disposal of this matter, even at this juncture. No notice is thought necessary to the company engaged in the erection of the cell phone tower as well as private parties connected with this activity, arrayed as R2 to R4, in light of the order that is proposed to be passed in this matter taking into account their interests as well. Hence, with the consent of parties before



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Court today, this Writ Petition is disposed finally, even at the stage of admission.

3. Since there are guidelines that have been issued by the State as well as by the appropriate authorities regulating the erection of cell phone towers, it would be appropriate that the District Collector, arrayed as R1, look into the matter and take a view strictly in accordance with law and such guidelines, particularly since, the petitioner has itself approached the official respondent in this regard.

4. Thus, there is a direction to R1 to consider the representation/reminder of the petitioner dated 21.06.2023/30.10.2023, issue notice to R2 to R4, hear the petitioner as well as R2 to R4 and thereafter take a considered view on the request of the petitioner, in accordance with law and all prevailing Rules, Regulations and Guidelines issued in this regard, within a period of four (4) weeks from date of receipt of a copy of this order.

5. This Writ Petition stands disposed as above. No costs.

24.11.2023

Index : Yes / No

Speaking

Neutral citations: Yes

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**Note: Registry is directed to issue
a copy of this order today (24.11.2023)**



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Dr.ANITA SUMANTH,J.

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To

- 1 The District Collector,
Thiruvarur Collector Office premises,
Thiruvarur.

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24.11.2023