



W.P(MD)No.11758 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.05.2023

CORAM:

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

W.P(MD)No.11758 of 2023

and

W.M.P.(MD)No.10183 of 2023

V.Sagadevan

... Petitioner

Vs.

**1.The Secretary,
Ministry of Tele Communications,
Government of India,
Sanchar Bhawan,
20.Ashoka Road,
New Delhi – 110 001.**

**2.The District Collector,
Pudukkottai District,
Pudukkottai.**

**3.The Tahsildar,
Aranthangi Taluk,
Pudukkottai District.**

4.Tamilselvan

5.Pushpavalli

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3 to forbear the respondents and from installing Cell Phone Tower or constructing Base Transceiver station in S.No.217/10B situated Kurunthirakottai Village, Rajendhirapuram Revenue Village, Aranthangi Taluk, Pudukkottai District by considering the petitioner representation dated 08.05.2023.

For Petitioner : Mr.V.Kasiraja

For Respondents : Mr.A.Sivanu Pandian,
Govt. Advocate for R2 & R3.
Mr.Govindarajan,
Deputy Solicitor General for R1.

ORDER

Heard the learned counsel for the writ petitioner, the learned Deputy Solicitor General for the first respondent and the learned Government Advocate for the respondents 2 and 3. Issuance of notice to the respondents 4 and 5 is dispensed with.

2.The petitioner is aggrieved by the proposed installation of the mobile phone tower in the petition mentioned site. It appears that the fourth respondent on behalf of his company is proposing to install the



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mobile phone tower. The specific contention of the petitioner is that the prior permission of the District Collector has not been obtained. The second respondent is directed to pass order on the petitioner's representation after hearing the fourth respondent as well as other interested persons. Such an order will be passed within a period of six weeks from the date of receipt of a copy of this order. The proposed move of the fourth respondent to install the mobile phone tower will abide by the outcome of the order to be passed by the second respondent. We make it clear that we have not gone into the merits of the matter. All the contentions of both the parties are left open.

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

[G.R.S.,J.] [S.S.Y.,J.]
10.05.2023

Index:Yes/No
Internet:Yes/No
NCC:Yes/No
ias



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G.R.SWAMINATHAN, J.

AND

S.SRIMATHY, J.

ias

To:-

- 1.The District Collector,
Pudukkottai District,
Pudukkottai.
- 2.The Tahsildar,
Aranthangi Taluk,
Pudukkottai District.

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