



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:**31.07.2023**

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
AND
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

**W.P(MD)NO.18428 of 2023
and
W.M.P(MD)No.15299 of 2023**

T.Hamsa Pon Nandhini

:Petitioner

.VS.

- 1.The District Collector,
Collectorate,
Tirunelveli,
Tirunelveli District.
- 2.The Sub-Collector,
Seranmahadevi,
Tirunelveli District.
- 3.The Tahsildar,
Taluk Office,
Radhapuram,
Tirunelveli District.
- 4.The Block Development Officer,
Office of the Block Development Officer,
Vallioor,
Tirunelveli Distrct.
- 5.The President,
A.Thirumalapuram Panchayat Board,
A.Thirumalapuram,



Radhapuram Taluk,
Tirunelveli District PIN 627 113.

: 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 first respondent to consider the Petitioner's representation, dated 27.03.2023 and further to direct the respondents not to operate the private company cell phone tower at S.NO.1/1A in Valliyammalpuram Village, AA Thirumalapuram Panchayat, Radhapuram, Tirunelveli District without obtaining permission from the Local Authority and the authority to the contra directions issued by the Government.

For Petitioner

: Mr.V.Rajiv Rufus

For Respondents
1 to 3

: Mr.P.Thilak Kumar
Govt.Pleader

For Respondents
4 and 5

: Mr.J.K.Jeyaseelan
Govt.Advocate

O R D E R

(Order of the Court was made by S.S.SUNDAR,J)

This Writ Petition is filed seeking issuance of a Writ of Mandamus directing the first respondent to consider the Petitioner's representation, dated 27.03.2023 and further to direct the respondents not to operate the private company cell phone tower at S.NO.1/1A in Valliyammalpuram Village, AA Thirumalapuram Panchayat, Radhapuram, Tirunelveli District without obtaining



permission from the Local Authority and the authority to the contrary directions issued by the Government.

2. Mr. P. Thilak Kumar, learned Government Pleader takes notice for the respondents 1 to 3 and Mr. J. K. Jeyaseelan, learned Government Advocate takes notice for the respondents 4 and 5. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. The Petitioner who alleges that cellphone tower is under construction in his village, has not impleaded the service provider or the Contractor, who is executing the said work.

4. Therefore, this Writ Petition is dismissed, on the ground of non-joinder of necessary parties. It is open to the Writ Petitioner to raise objections before the authorities concerned or to file another Writ Petition raising all the points raised herein by impleading the necessary parties, if so advised. No costs. Consequently, connected Miscellaneous Petition is closed.

[S.S.S.R.,J.] [D.B.C,J.]
31.07.2023



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

vsn

To

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A.Thirumalapuram,
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S.S.SUNDAR, J.

AND

D.BHARATHA CHAKRAVARTHY, J.

vsn

ORDER MADE IN

W.P(MD)NO.18428 of 2023

and

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