



W.P.No.22309 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2024

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.22309 of 2021

And

W.M.P.Nos.23537 and 25059 of 2021

S.Baskaran

... Petitioner

Vs.

- 1.The Special Officer to Government of Tamil Nadu
Dept. of The Chief Minister in Your Constituency,
Secretariat, Government of Tamil Nadu
Namakkal Kavignar Maaligai,
Fort St. George,
Chennai – 600 009.
- 2.The District Collector,
Collectorate,
Singaravelar Maaligai,
Rajaji Salai,
Chennai District – 600 001.
- 3.The Deputy Commissioner of Police,
Office of the Joint Commissioner of Police,
North Chennai,
Rajaji Salai, Parrys,
George Town,
Chennai – 600 001.
- 4.The State Rep. by
The Inspector of Police (Law and Order)
N1 Royapuram Police Station,
Royapuram,
Chennai – 600 013.



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5.ATC Telecom Infrastructure Pvt. Ltd.,
Represented by Authorised Signatory
N.Senathipathi.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to dispose the representation dated 07.07.2021 and not to grant approval to fifth respondent for erection of Mobile Tower at the open space admeasuring about 600 sq.ft., over building situated or comprised in D.No.2, Plot No.4 & 5, 4th Lane, Singara Thottam, Old Washrmenpet, Tondiarpet Taluk, North Chennai Registration District, Chennai District, Royapuram SRO, Chennai – 600 021.

For Petitioner : Mr.S.Pushpakaran

For Respondents : Mr.Yogesh Kannadasan for R1 to R3
Special Government Pleader
Mr.L.Baskaran for R4
Government Advocate (Crl.Side)

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the second respondent to dispose the representation dated 07.07.2021 and not to grant approval to fifth respondent for erection of Mobile Tower at the open space



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admeasuring about 600 sq.ft., over building situated or comprised in D.No.2, Plot No.4 & 5, 4th Lane, Singara Thottam, Old Washrmenpet, Tondiarpet Taluk, North Chennai Registration District, Chennai District, Royapuram SRO, Chennai – 600 021.

2.The learned counsel appearing for the petitioner submitted that the petitioner is a resident of Old Washermenpet. The fifth respondent made application for erection of Mobile Tower at the open space admeasuring about 600 sq.ft., over building situated or comprised in D.No.2, Plot No.4 & 5, 4th Lane, Singara Thottam, Old Washrmenpet, Tondiarpet Taluk, North Chennai Registration District, Chennai District, Royapuram SRO, Chennai on the ground that permission is granted in favour of the fifth respondent and further submitted that if the tower is erected the residents of the locality will be at stake.

3.The learned counsel appearing for the petitioner further submitted that this Court may issue direction to the second respondent to consider the petitioner's objection/ representation dated 07.07.2021 along with the application made by the fifth respondent and to pass appropriate orders.



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4.The learned Special Government Pleader submitted that if any application is pending before the second respondent at the instance of the fifth respondent, the petitioner's objection/ representation will be considered along with the fifth respondent's application in the manner known to law.

5.In view of the above, this Court directs the second respondent to consider the petitioner's objection/ representation dated 07.07.2021 along with the application made by the fifth respondent and to pass appropriate orders on merits and in accordance with law as expeditiously as possible.

6.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

05.08.2024

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No



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