



WEB COPY

WP No. 10545 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-07-2025

CORAM

THE HON'BLE MRS.JUSTICE N.MALA

WP No. 10545 of 2025

1. Indus Towers Limited
Rep By Its Authorized Signatory
Paridhi Arasu K.N, No. 5 Espee It
Park, 5th Floor, Jawaharlal Nehru
Road, Ekkatuthangal, Chennai-097.

Petitioner(s)

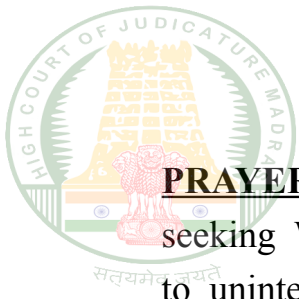
Vs

1. The District Collector
Thiruvarur District.

2.The Municipal Commissioner
Mannargudi Municipality, No.120,
Gandhi Road, Mannargudi,
Thiruvarur-614 001.

3.Thaiyal Nayaki P
D/o. Pechimuthu, No.17a,
Mahamariamman Kovil Street,
Mannargudi, Thiruvarur-614 001.

Respondent(s)



PRAYER This Writ Petition is filed under Article 226 of Constitution of India seeking Writ of Mandamus to direct the 2nd respondent to permit the petitioner to uninterrupted access the roof top of the building bearing No.27, Dr.Thangamani Building Complex, Old Thanjavur Road, Ward No.1, Block-58, T.S. No. 3721, Mannargudi Thiruvarur- 614 001 for the purpose of operating and maintaining its mobile phone tower and its related equipments thereof installed there, on the representation dated 07.03.2025 sent to the 2nd respondent vide registered post and received on 10.03.2025.

For Petitioner(s): Mr. S.Anil Sandeep

For Respondent(s): Mr.N.Naveen Kumar Ga Takes
Notice For R1 Mr.P.Srinivas
Standing Counsel Takes Notice
For R2

ORDER

This Writ Petition is filed seeking Mandamus to direct the second respondent to permit the petitioner to uninterrupted access to the roof top of the building bearing No.27, Dr.Thangamani Building complex, old Thanjavur Road, Ward No.1, Block-58, T.S.No.3721, Mannargudi Thiruvarur-6114 001 for the purpose of operating and maintaining its mobile phone tower and its related equipments thereof installed there, on the representation dated 07.03.2025.

2. The brief facts of the case are that the petitioner has one tower situated

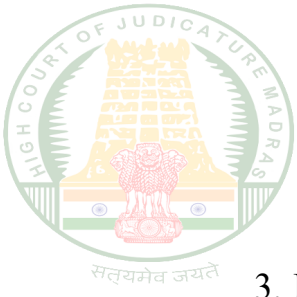


at the roof top of the building at Ward No.1, Block -58, T.S.No.3721, No.27

Dr.Thangamani Building complex, old Thanjavur Road, Ward No.1, Block-58,

T.S.No.3721, Mannargudi Thiruvarur-6114 001 belongs to the third respondent.

The petitioner and the third respondent entered into a lease agreement dated 12.07.2019 for the building, operation and maintenance of the tower, for a period of 15 years from 12.07.2019 to 11.07.2034. As per the said lease deed and as mandated by law, the third respondent alone is liable to pay necessary taxes to the concerned authorities. While that being so, the third respondent has initiated proceedings against the third respondent for default of payment towards property tax due to the Municipality and the petitioner is not aware of the same. Subsequently, the second respondent sealed the whole premises on 21.02.2025 and permission to access the mobile phone tower on the roof top of the premises is denied the petitioner. Therefore, the petitioner had made a representation to the second respondent on 07.03.2025, seeking permission to access the mobile phone tower, but no action was taken, till date. Hence, the petitioner is before this Court by way of this Writ Petition with the above prayer.

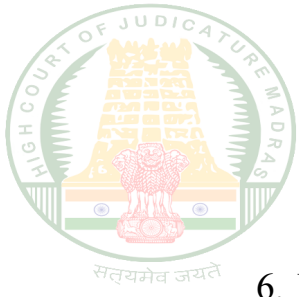


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3. Learned counsel for the petitioner would submit that the petitioner had made a representation to the second respondent on 07.03.2025, to provide access to the mobile phone tower, but no action was taken till date. Hence seeks for direction to respondent to consider the representation of the petitioner.

4. Heard both sides and perused the records.

5. The second respondent is directed to consider the representation of the petitioner dated 07.03.2025, conduct a detail enquiry after giving due notice to the parties and by providing an opportunity of personal hearing and pass appropriate orders on merits and in accordance with law, preferably within a period of four weeks from the date of receipt of copy of this order. Further, the second respondent is hereby directed to provide access to the petitioner to maintain and operate the mobile phone tower which is situated in the top floor of the building, till disposal of the representation of the petitioner dated 07.03.2025 by the second respondent.



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6. With the above directions, the Writ Petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

09-07-2025

Jai/smn

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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N.MALA, J.

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