



W.P.(MD).No.6652 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2025

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THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.(MD).No.6652 of 2022

and

W.M.P.(MD).No.5133 of 2022

K.Kalavathi

... Petitioner

Vs.

1.The District Collector,
Madurai,
Madurai District.

2.The Commissioner,
Thirumangalam Municipality,
Madurai District.

3.The Secretary,
Department of Telecommunications,
Sanchar Bhawan,
20, Ashoka Road,
New Delhi-110001

4.M/s.Reliance Jio Infocomm Limited,
No.89, 7th Floor,
Dr.Radhakrishnan Salai,
Mylopore,
Chennai-600004.

5.Mr.R.Sakthivel

...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, forbearing the respondents to erecting the mobile tower by the fourth respondent at Survey No.119/8, NGO Colony, Thirumangalam, Madurai District on the basis of the petitioner's representation dated 24.03.2022.

For Petitioner	: Mr.S.Poornachandran
For R1 & R2	: Mr.G.Suriya Ananth, Addl. Government Pleader
For R3	: Mr.K.Maharajan,CGSC
For R4	: Mr.C.Parthiban

ORDER

The petitioner seeks a writ of mandamus to restrain the fourth respondent from putting up a Mobile Tower at Survey No.119/8, NGO Colony, Thirumangalam, Madurai District.

2.The petitioner claims to be the owner of the property at 47/B1 5th Street, NGO Colony, Thirumangalam, Madurai. He feared that the fourth respondent is going to put up a Cell Phone Tower. Hence, he gave a representation on 24.03.2022 and filed the writ petition.

3.Notice was ordered in the writ petition.

4.Mr.S.Maharajan, Central Government Standing Counsel had entered appearance for the third respondent. Mr.G.Suriya Ananth, learned Additional Government Pleader took notice for the first and second



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respondents. Mr.Parthiban, learned counsel had entered appearance for the fourth respondent.

5.Mr.Parthiban, produces a lease deed entered into between the owner of the property of the aforesaid S.No.119/8 viz., Mr.Sakthivel and the fourth respondent. Pursuant to the lease deed, the District Collector has granted permission to erect a Cell Phone Tower on 29.09.2022. He adds that the cell tower has been erected and it has also been activated.

6.Leaving it open to the petitioner to challenge the order of the District Collector, Madurai, if it is otherwise open to him, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

03.02.2025

NCC :Yes/No

Index : Yes / No

Internet : Yes/ No

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To

1.The District Collector,
Madurai,
Madurai District.

2.The Commissioner,
Thirumangalam Municipality,
Madurai District.



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V.LAKSHMINARAYANAN, J.

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