



WEB COPY

WP No. 13845 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 13845 of 2026

1. B.Karthik
2. S.Padmini
3. D.Kanchana
4. V.Rajalakshmi
5. K.Vijayan
6. S.Sathishkumar
7. S.Sharmila
8. P.Srinivasan
9. S.Revathy
- 10.P.Venugopal

..Petitioner(s)

Vs

1. Union of India
Ministry of Communication and I.T Department of
Telecommunication,
(Wireless planning and Co-Ordination wing), 6th Floor,
Sanchar Bhawan, No.20, Ashoka Road,
New Delhi - 110 001.
2. The Secretary to the Government,
Department of Town and Country Planning, Fort
St.George, Chennai - 600 009.
3. The Block Development Officer,
Sholavaram Union Panchayath,
Sholavaram, Chennai - 600 067.
4. The District Collector,
Office of the Collectorate,
Thiruvallur, Thiruvallur District.
5. The Commissioner of Police,
Avadi Police Commissionerate,
Avadi, Chennai.



6. The Revenue Divisional Officer,
Ponneri, Ponneri Taluk, Thiruvallur District.
7. The Tahsildar,
Ponneri, Ponneri Taluk,
Thiruvallur District.
8. The Inspector of Police,
E-5, Sholavaram Police Station,
Sholavaram, Chennai - 600 067.
9. M/S. Indua Towers Limited,
Rep. by its Authorized Signatory,
No.5th, ESPEE IT Park, 5th Floor,
Jawaharlal Nehru Road, Ekkatuthangal,
Chennai - 600 097.
10. The District Fire Officer,
Thiruvallur District, Thiruvallur.
11. R. Kannan
12. The Chennai Metropolitan Development Authority,
Represented by its Member Secretary,
No.1, Gandhi Irwin Road, Egmore, Chennai.

..Respondent(s)

Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, restraining the respondents from erecting/operating the cell phone tower in the approved residential layout by the 9th respondent in the approved House Site property of the 11th respondent comprised in Survey No.187 Part, Plot No.27, situated in Village No.115, Sembulivaram Village, Ponneri Taluk, Thiruvallur District in the light of the petitioners representation dated 20.03.2026 and consequently direct the official respondent authorities to strictly enforce zoning laws and health safety regulations in residential areas.



For Petitioner(s):

Mr.N.Nithianandam

For Respondent(s):

Mr.V.Meghanathan, GA (Crl side) RR5 & 8

Mr.A.Selvendran, SGP RR2,4,6,7 & 10

Mr.B.Tamilnidhi, AGP R3

Mr.K.Ravindranath, SPC R1

Mr.B.Sanjay Balachandar R12

Mr.Anil Sandeep R9

ORDER

The writ petition has been filed restraining the respondents from erecting/operating the cell phone tower in the approved residential layout by the 9th respondent in the approved House Site property of the 11th respondent comprised in Survey No.187 Part, Plot No.27, situated in Village No.115, Sembulivaram Village, Ponneri Taluk, Thiruvallur District in the light of the petitioners representation dated 20.03.2026 and consequently direct the official respondent authorities to strictly enforce zoning laws and health safety regulations in residential areas.

2. It is the case of the petitioner that they are the residents of the Moogambigai Nagar Residential Layout situated at Sembulivaram Village, Ponneri Taluk, Thiruvallur District which is an approved residential layout sanctioned by CMDA vide dated 08.12.2006. The said layout is residential and all the plot owners have either constructed or are under construction of residential houses in their respective plots. All of sudden, in the third week of March 2026, the 9th respondent along with connivance of the 11th respondent,



who is the owner of the approved house site plot No.27 of the layout has commenced the erection of a cell phone tower on plot No.27 within the said residential layout. The erection of such a tower is being carried out without proper consultation, public notice, or compliance with mandatory safety and zoning regulations. The said erection/installation of the tower by the 9th respondent in the House site of the 11th respondent is in violation of Zoning Regulations. The approved layout is designated for residential use and the erection of a commercial cell tower is contrary to the sanctioned plan issued by the 12th respondent. The erection/installation also violates residents health and safety and it causes environmental and aesthetic impacts in the area. The tower causes visual pollution and adversely affects the locality's peaceful residential character. Prior to commencement of erection/installation of the said tower, no public hearing, consent of residents, or statutory clearance from the competent local and other authorities have been obtained by 9th and 11th respondents. The action of the official respondents permitting the respondents 9 and 11 to commence the erection/installation of the tower is illegal and against the public interest in the area. Without having no other option, the petitioner has filed the present writ petition before this Court.

3. When the matter was taken up for hearing, the learned Standing Counsel appearing for the respondents submitted that the cell phone tower has already been erected. If the petitioners have any grievance, they have to



approach the appropriate authority.

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4. Considering the facts and circumstances of the case, this Court without going into the merits of the case, is of the view that the petitioners have an alternative efficacious remedy before the competent statutory authority.

5. In view of the above, this Court directs the petitioners to file a comprehensive representation before the appropriate authority, ventilating their grievances regarding violation of zoning regulations, health and safety norms and lack of statutory permissions, along with all supporting documents within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the concerned authority shall entertain the same, and pass appropriate orders on merits after affording opportunity to all the parties, within a period of four weeks thereafter. It is made clear that this Court has not expressed any opinion on the merits of the case. All contentions are left open before the appropriate authority.

6. With the above directions, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

rli

16-04-2026



**M.DHANDAPANI, J.
RLI**

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

RLI

1. Union of India

Ministry of Communication and I.T Department of Telecommunication,
(Wireless planning and Co-Ordination wing), 6th Floor, Sanchar Bhawan,
No.20, Ashoka Road, New Delhi - 110 001.

2. The Secretary to the Government,

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3. The Block Development Officer,

Sholavaram Union Panchayath, Sholavaram, Chennai - 600 067.

4. The District Collector,

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5. The Commissioner of Police,

Avadi Police Commissionerate, Avadi, Chennai.

6. The Revenue Divisional Officer,

Ponneri, Ponneri Taluk, Thiruvallur District.

7. The Tahsildar,

Ponneri, Ponneri Taluk, Thiruvallur District.

8. The Inspector of Police,

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