



WP(MD). No.18214 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 29/06/2026

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN  
AND  
THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

**WP(MD). No.18214 of 2026**

Rajan

... Petitioner

Vs.

1. The District Collector,  
Kanyakumari District, Nagercoil.

2. The District Environmental Engineer,  
Pollution Control Board,  
Door No. 318/46a, Drinking Water Tank Road,  
Nagercoil, Kanyakumari District - 629 001..

3. The District Revenue Officer,  
Kanyakumari District,  
Nagercoil - 01..

4. The Tahsildar,  
Kalkulam Taluk, Kanyakumari District.

5. The Block Development Officer,  
Rajakkamangalam Eraniel Road,  
Narode, Kanyakumari District..

6. Bharti Airtel Limited,  
6th Floor, Asv Ramanas Tower,  
52, Venkatnarayana Road,  
T Nagar, Chennai -600 017..

... Respondents

1/5



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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 1 to 5 Respondents to take immediate and effective steps to stop the installation and remove the Airtel Cellphone Tower / Base Transceiver Station (BTS) situated at Survey No. 513/2, Kurunthencode B Village, Kalkulam Taluk, Kanyakumari District, by considering the petitioner's representation dated 09.04.2026.

For Petitioner : Mr.M.Viveka  
For R1 to R5 : Mr.M.P.Senthil  
Counsel for State of Tamilnadu

### **ORDER**

The petitioner is deeply aggrieved with the sixth respondent Bharti Airtel Limited in seeking permission to put up a cell phone tower in the premises at Survey No.513/2 Kurunthencode B Village, Kalkulam Taluk, Kanyakumari District.

2. The learned counsel for the petitioner contended that the erection of a cell phone tower in a residential area would result in the emission of electromagnetic fields, which, in turn, would be hazardous to the health and welfare of the local residents. It is under those circumstances, the petitioner had come forward seeking directions to restrain the sixth respondent from putting up cell phone tower.



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3. Mr.M.P.Senthil, learned Counsel for Government stated that though application has been made by the sixth respondent before the concerned authorities, including the Block Development Officer, seeking permission to put up a cell phone tower, no constructive work had commenced.

4. It had been stated that the area residents have raised a protest. At this juncture, it may not be appropriate, without hearing all the parties, to restrain the erection of the cell phone tower. However, we make it obligatory on the part of the District Collector and the District Environmental Engineer of the Pollution Control Board to convene a meeting of the petitioner, the other residents, and the sixth respondent, to examine whether the proposed cell phone tower would pose any health hazards and to ensure that the sixth respondent puts in place all necessary safeguards as required by law. Thereafter on being satisfied, the respondents 1, 2 and 5 may pass appropriate orders. Any order passed by them would always be subject to judicial review.



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5. Observing as above, this writ petition is disposed of. No costs.

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(C.V.K., J) & (R.S.V., J)  
29.06.2026

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

TO

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and  
R.SAKTHIVEL, J**

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