

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

WEDNESDAY, THE 25TH DAY OF NOVEMBER 2015/4TH AGRAHAYANA, 1937

WP(C).No. 473 of 2013 (H)

PETITIONER(S) :

INDUS TOWERS LTD.
CIRCLE OFFICE AT: VANKARATH TOWERS, 8TH FLOOR, NH-47
PALARIVATTOM, KOCHI-24, REPRESENTED BY ITS HEAD-LEGAL
PREMAKRISHNAN NAIR.

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENT(S) :

1. THE S I OF POLICE, PUNALUR
KOLLAM DISTRICT-691 001.
2. THE C.I. OF POLICE
PUNALUR, KOLLAM DISTRICT-691 001.
3. THE DISTRICT POLICE CHIEF
KOLLAM-691 001.
4. PUNALUR MUNICIPALITY
MUNICIPAL OFFICE, PUNALUR, KOLLAM DISTRICT
REPRESENTED BY ITS MUNICIPAL SECRETARY, PIN-691 305.
5. CASSILAS JUNIOR
S/O. AZHARUDEEN, CASSILAS BHAVAN, PUNALUR P.O.
KALLUMALA, KOLLAM DISTRICT-691 305.
6. RAJAN
PALLIVADAKKETHIL VEEDU, NELLIKUNNUPURAM, SASTHACONAM
PUNALUR P.O., KALLUMALA, KOLLAM DISTRICT-691 305.
7. SHYAM LAL
S/O. BACHABHAI, SHYAM NIVAS, NELLIKUNNUPURAM
SASTHACONAM, PUNALUR P.O., KALLUMALA
KOLLAM DISTRICT-691 305.
8. THANKACHAN
S/O. P.D.GEORGE, PALLIVADAKKETHIL VEEDU
NELLIKUNNUPURAM, SASTHACONAM, PUNALUR P.O.
KALLUMALA, KOLLAM DISTRICT-691 305.

Contd...

:2:

WP(C).No. 473 of 2013 (H)

9. VIBIN
S/O. ISSAC MANI, PALLIVDAKKETHIL VEEDU
NELLIKUNNUMPURAM, SASTHACONAM, PUNALUR P.O.
KALLUMALA
KOLLAM DISTRICT-691 305. (R9 DELETED FROM THE PARTY ARRAY AT
THE RISK OF PETITIONER AS PER ORDER
DATED 21/01/2013 IN IA 1102/2013)
10. DAVID
CHARUVILA PUTHEN VEEDU, SASTHACONAM, PUNALUR P.O.
KALLUMALA, KOLLAM DISTRICT-691 305.
11. STATE OF KERALA
REPRESENTED BY ITS CHIEF SECRETARY
KERALA GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM-695 001.
12. UNION OF INDIA
REPRESENTED BY ITS SECRETARY
MINISTRY OF COMMUNICATIONS AND I T
DEPARTMENT OF TELE COMMUNICATIONS, SANCHAR BHAVAN, 20
ASHOKA ROAD, NEW DELHI-110 001.

RR12 BY ADV. SRI.P.PARAMESWARAN NAIR,ASG OF INDIA
R-R5 BY ADV. SRI.SYAM J SAM
R12 BY ADV.SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL OF INDIA
BY Sr.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-11-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

EXT.P1 : COPY OF THE CERTIFICATE OF INCORPORATION ISSUED BY THE ASSISTANT REGISTRAR OF COMPANIES, NATIONAL CAPITAL TERRITORY OF DELHI AND HARYANA.

EXT.P2 : COPY OF THE CERTIFICATE FOR COMMENCEMENT OF BUSINESS ISSUED BY THE ASSISTANT REGISTRAR OF COMPANIES, NATIONAL CAPITAL TERRITORY OF DELHI AND HARYANA.

EXT.P3 : COPY OF THE REGISTRATION CERTIFICATE NO.177/2008, DTD.10.1.2008 ISSUED BY THE MINISTRY OF COMMUNICATIONS & IT, DEPARTMENT OF TELECOMMUNICATIONS.

EXT.P4 : COPY OF THE FRESH CERTIFICATE OF INCORPORATION CONSEQUENT UPON CHANGE OF NAME ISSUED BY THE DEPUTY REGISTRAR OF COMPANIES, NATIONAL CAPITAL TERRITORY OF DELHI AND HARYANA.

EXT.P4(a) : TYPED COPY OF EXT.P4.

EXT.P5 : COPY OF THE COMMUNICATION SEND BY THE DIRECTOR (CS-III) OF THE MINISTRY OF COMMUNICATIONS & I T, DEPARTMENT OF TELECOMMUNICATIONS, NEW DELHI.

EXT.P6 : COPY OF BUILDING PERMIT NO.130/12-13 DTD.10.12.2012 ISSUED BY THE 4TH RESPONDENT.

EXT.P7 : COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT.

EXT.P8 : COPY OF THE POSTAL RECEIPTS.

RESPONDENTS' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE

ami/

**ASHOK BHUSHAN, C.J. &
A.M.SHAFFIQUE, J.**

W.P.(C)No.473 of 2013

Dated this the 25th day of November, 2015.

J U D G M E N T

SHAFFIQUE, J.

This writ petition has been filed seeking police protection in the matter relating to putting up of a mobile telecommunication tower. It is submitted by the learned Government Pleader that by virtue of the interim order of this Court, the construction of the tower has already been completed.

2. If at all the petitioner has any further grievance, it is open for the petitioner to approach the District Telecom authorities. Under such circumstances, there is no reason for this Court to keep pending the writ petition on files. Hence we dismiss this writ petition, as no further orders are necessary in this matter.

Sd/-
**ASHOK BHUSHAN,
CHIEF JUSTICE.**

Sd/-
**A.M.SHAFFIQUE,
JUDGE.**

ami/

//True copy//

P.A. to Judge