

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

FRIDAY, THE 20TH DAY OF NOVEMBER 2015/29TH KARTHIKA, 1937

WP(C).No. 5831 of 2014 (D)

PETITIONER(S) :

INDUS TOWERS LIMITED
VANKARATH TOWER, 8TH FLOOR, N.H.BYE PASS
PALARIVATTOM, KOCHI-24
REPRESENTED BY ITS DULY AUTHORIZED REPRESENTATIVE
PREMAKRISHNAN NAIR M.N., HEAD LEGAL.

BY ADV. SRI.P.SATHISAN

RESPONDENT(S) :

1. THE SUPERINTENDENT OF POLICE
ERNAKULAM DISTRICT.
2. THE STATION HOUSE OFFICER
KURUPPUMPADY POLICE STATION
ERNAKULAM DISTRICT-695506.
3. MANOJ
S/O VELAYUDHAN, KOLASSERIYIL
PANACHIYAM KARA ERNAKULAM DISTRICT.
4. SADANANDAN
S/O NARAYANAN, NATEPPILLIYIL, PANACHIYAM KARA
ERNAKULAM DISTRICT.
5. ANTI MOBILE TELECOMMUNICATION TOWER ACTION GROUP
ASAMANNOR GRAMA PANCYHAYATH
REPRESENTED BY VIJAYAN S/O KUTTAPPAN, PULLIPARAMBIL
PANACHIYAM KARA, ERNAKULAM DISTRICT.
6. ASAMANNOR GRAMA PANCHAYATH
REPRESENTED BY ITS SECRETARY, ASAMANNOR P.O.
ERNAKULAM DISTRICT.

R1&2 BY SR. GOVERNMENT PLEADER SRI. C.R. SYAMKUMAR
R6 BY ADV. SRI.N.K.KARNIS

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
20-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 5831 of 2014 (D)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1: TRUE COPY OF THE REGISTRATION CERTIFICATE FOR
INFRASTRUCTURE PROVIDER CATEGORY-I (IP-I)

EXHIBIT P1(A): TRUE COPY OF THE CERTIFICATE ISSUED BY GOVT. OF INDIA
WITH RESPECT TO THE NAME CHANGE.

EXHIBIT P2: TRUE COPY OF RELEVANT NOTIFICATION CONFERRING THE STATUS
OF TELEGRAPH AUTHORITY ON THE PETITIONERS WITH ENGLISH TRANSLATION.

EXHIBIT P3: TRUE COPY OF THE BUILDING PERMIT DATED 21.12.2013.

EXHIBIT P4: TRUE COPY OF THE ORDER IN APPEAL NO.74/2014 OF THE
HON'BLE TRIBUNAL FOR LOCAL SELF GOVERNMENT INSTITUTION DATED
18.1.2014.

EXHIBIT P5: TRUE COPY OF THE COMPLAINT SUBMITTED BEFORE THE 2ND
RESPONEENT DATED 24.1.2014.

EXHIBIT P5(A): TRUE COPY OF THE TRANSLATION TO EXHIBIT P5:

EXHIBIT P6: TRUE COPY OF THE ACKNOWLEDGMENT WITH TRANSLATION TO THE
COMPLAINT DATED 24.1.2014.

RESPONDENT(S) ' EXHIBITS

NIL

// TRUE COPY //

P.A. TO JUDGE

sou.

ASHOK BHUSHAN, CJ & A.M.SHAFFIQUE, J

W.P(C). No. 5831 of 2014

Dated this the 20th day of November, 2015

JUDGMENT

Shaffique, J

Petitioner has approached this Court seeking police protection in the matter relating to operation of a telecommunication tower.

2. Since we have already held in **Indus Towers Ltd. Vs. Sub Inspector of Police** [2014 (4) KLT 306] that the said issues are to be considered by the District Telecom Committee, constituted in this regard, we close the writ petition with liberty to the petitioner to approach the District Telecom Committee for appropriate relief.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M.SHAFFIQUE,
JUDGE

// TRUE COPY //