

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

MONDAY, THE 7TH DAY OF DECEMBER 2015/16TH AGRAHAYANA, 1937

WP(C).No. 9342 of 2014 (P)

PETITIONER :

**INDUS TOWERS LIMITED
REPRESENTED BY THEIR HEAD-LEGAL (KERALA)
MR.PREMKRISHNAN NAIR, S/O.NARAYANAN NAIR,
AGED 50 YEARS, 8TH FLOOR
VANKARATH TOWERS, N.H.BYEPASS, PALARIVATTOM
ERNAKULAM.**

**BY ADVS.SRI.PHILIP T. VARGHESE
SRI.THOMAS T. VARGHESE
SMT.ACHU SUBHA ABRAHAM**

RESPONDENTS :

- 1. THE SUB INSPECTOR OF POLICE
KASBA POLICE STATION, PUTHUSSERY, PALAKKAD-678622.**
- 2. KANNAN,
PULIKKAT, THENARIPARA, ELAPULLY VILLAGE
PALAKKAD-678 622.**
- 3. SUBHASH,
PULIKKAT, THENARIPARA, ELAPULLY VILLAGE
PALAKKAD-678 622.**
- 4. RATHEESH,
S/O.CHANDRAN, PULIKAT, THENARIPARA
ELAPULLY VILLAGE, PALAKKAD-678 622.**
- 5. SANTHAKUMAR,
S/O.CHANDRAN, PULIKAT, THENARIPARA
ELAPULLY VILLAGE, PALAKKAD-678622.**

6. RATHEESH,
S/O.PONNUCHAMY, RENJITHA NIVAS, THENARIPARA
PALAKKAD-678622.

*ADDL. R7 IMPEADED

*ADDL.R7. ELAPULLY GRAMA PANCHAYAT
REPRESENTED BY ITS SECRETARY
ELAPULLY VILLAGE, PALAKKAD- 678 622.

*ADDL. R7 IS IMPEADED AS PER ORDER DATED 01/04/2014 IN IA 5074/2014.

R1 BY SR. GOVT. PLEADER SRI. C.R. SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Mn

...3/-

WP(C).No. 9342 of 2014 (P)

APPENDIX

PETITIONERS' EXHIBITS :

- EXT.P1 COPY OF PERMIT NO.A4/1102 ISSUED BY THE SECRETARY,
ELAPPULLY GRAMA PANCHAYAT DATED 01.03.2014.**
- EXT.P2 COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE
IST RESPONDENT DATED 19.03.2014.**
- EXT.P2(a) COPY OF THE ENGLISH TRANSLATION OF EXT.P2.**
- EXT.P3 COPY OF THE RECEIPT ISSUED BY THE IST RESPONDENT DATED
19.3.2014.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

ASHOK BHUSHAN, C.J.

&

A.M. SHAFFIQUE, J.

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W.P. (C) No. 9342 of 2014

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Dated this, the 7th day of December, 2015

J U D G M E N T

Shaffique, J.

This writ petition has been filed seeking police protection alleging that respondents 2 to 6 were causing obstruction in the matter relating to construction of a mobile tele communication tower. Learned counsel for the petitioner submits that the tower has already been constructed and liberty should be granted to approach this Court, if there is any further obstruction.

2. The above issue has already been decided by us in ***Indus Towers Ltd v. Sub Inspector of Police*** (2014 (4) KLT 306).

3. If there is any further obstruction, it shall be open for the petitioner to approach the District Telecom Committee for necessary orders.

With the above observation, this writ petition is closed.

Sd/-

ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-

A.M. SHAFFIQUE, JUDGE

Rp7/12/2015 //True Copy//

PS to Judge