

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

TUESDAY, THE 26TH DAY OF MAY 2015/5TH JYAISHTA, 1937

WP(C).No. 14142 of 2015 (P)

PETITIONER(S) :-

M/S.UNITAC ENERGY SOLUTIONS INDIA PVT LTD.
A COMPANY INCORPORATED UNDER INDIAN COMPANIES ACT, 1956
HAVING ITS REGISTERED OFFICE AT DOOR NUMBER 32/8-B4/2 OF
CORPORATION OF COCHIN, SURYA GAYATRI, 2ND FLOOR,
PUTHIYA ROAD, NEW JUNCTION, ERNAKULAM BYE PASS
REPRESENTED BY ITS DIRECTOR SRI.ANILKUMAR.

BY ADVS.SRI.K.N.ABHILASH
SRI.SUNIL NAIR PALAKKAT

RESPONDENTS :-

1. THE DISTRICT POLICE CHIEF, DISTRICT POLICE CHIEF OFFICE
THIRUVANANTHAPURAM DISTRICT, PIN - 695 001.
2. THE STATION HOUSE OFFICER
KALLAMBALAM POLICE STATION, TRIVANDRUM - 695 605.
3. THE STATION HOUSE OFFICER
PARASSALA POLICE STATION, TRIVANDRUM - 695 502.
4. THE STATION HOUSE OFFICER
KATTAKADA POLICE STATION, TRIVANDRUM - 695 672.
5. VIPINKUMAR, PALAMOOTTIL, CHURULICODE P.O.
PATHANAMTHITTA - 689 668.
6. B.BENNET, MANNARAPPU VEEDU, KALIYAKKAVILA P.O.,
KANYAKUMARI, TAMIL NADU - 629 001.
7. PRADEEP K., K.C.BHAVAN, ARUVIYODE, KARINGALKANDALA P.O.
TRIVANDRUM - 695 504.

R1 TO R4 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
26-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 14142 of 2015 (P)

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXHIBIT P1. TRUE COPY OF THE MEMORANDUM OF SETTLEMENT DATED
17.10.2014.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.14142 of 2015

Dated this the 26th day of May 2015

J U D G M E N T

Shaffique, J.

The petitioner has approached this Court seeking police protection. It is alleged that respondents 5 to 7 refused to obey the shift system and abandoned the tower site without any intimation or notice. Further, it is alleged that on 7.5.2015 night, respondents 5 to 7 switched off the tower transmission by force threatening the men on duty and illegally interfered with the service provided by the petitioner. It is submitted that the petitioner being a contractor doing business of maintaining telecom transmission towers owned by Indus Tower Company is entitled for police protection. On account of the illegal action by respondents 5 to 7, various consumers in telecom industry are suffering, it is submitted.

2. Though notice was ordered to respondents 5 to 7, there is no appearance.

3. In fact an interim order had been granted by this Court on 8.5.2015 directing the police to provide adequate protection to

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the petitioner in the matter relating to functioning of the tower.

4. Learned Government Pleader on instructions would submit that on the basis of the complaint received, necessary enquiry has been done in the matter and presently no untoward incident is reported.

5. Having regard to the aforesaid factual situation, there shall be a direction to respondents 2 to 4 to ensure that no illegal obstruction is being caused by respondents 5 to 7 in the matter relating to functioning of the tower by the petitioner.

This writ petition is disposed of as above.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE