

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 7TH DAY OF JULY 2015/16TH ASHADHA, 1937

WP(C).No. 20309 of 2015 (K)

PETITIONER(S) :

**CHENNAI NETWORK INFRASTRUCTURE LIMITED,
HAVING ITS REGISTERED OFFICE AT DOOR NO.34/IDL, NEW NO.403/L,
SAMSON TOWER, 7TH FLOOR, PANTHEON ROAD,
EGMORE CHENNAI, TAMIL NADU, PIN - 600 008,
AND HAVING CIRCLE OFFICE AT PRABUS TOWER,
OPPOSITE CHENNAI SILKS, M.G.ROAD ERNAKULAM, REPRESENTED
BY BABU B.NAIR, AGED 46 YEARS, S/O.LATE G.BHASKARAN NAIR,
CIRCLE HEAD, RESIDING AT MANGALAM, NIKARTH CHIRAYIL,
THURAVOOR SOUTH P.O., ALLEPEY DISTRICT - 688 532.**

BY ADV. SRI.G.SANTHOSH KUMAR (P).

RESPONDENT(S) :

- 1. THE SUB INSPECTOR OF POLICE,
ARYANAD POLICE STATION, TRIVANDRUM DISTRICT.**
- 2. SUJITH, S/O.SURENDRAN,
THIRUVATHIRA HOUSE, CHEMPAKAMANGALAM ROAD,
ARYANAD P.O., TRIVANDRUM - 695 542.**
- 3. ARUN, S/O.PRABHAKARAN,
VIKRAMALAYAM HOUSE, CHEMPAKAMANGALAM ROAD,
ARYNAD P.O., TRIVANDRUM - 695 542.**
- 4. ARYANAD GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY,
ARYANAD P.O.TRIVANDRUM.**

R1 BY GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P-1: TRUE COPY OF THE LEASE AGREEMENT DATED 24.09.2008
ENTERED BY THE PETITIONER COMPANY.**
- EXT.P-2: TRUE COPY OF THE OWNERSHIP CERTIFICATE DATED 09.10.2009
ISSUED BY THE 4TH RESPONDENT PANCHAYATH WITH ENGLISH
TRANSLATION.**
- EXT.P-3: TRUE COPY OF THE PERMIT DATED 15.11.2008 GRANTED BY
THE 4TH RESPONDENT PANCHAYATH.**
- EXT.P-4: TRUE COPY OF THE LETTER DATED 20.07.2010.**
- EXT.P-5: TRUE COPY OF THE REQUEST MADE BY THE PETITIONER
BEFORE THE 1ST RESPONDENT DATED 22.05.2015.**
- EXT.P-6: TRUE COPY OF THE ACKNOWLEDGEMENT RECEIPT
DATED 27.05.2015.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

ASHOK BHUSHAN, CJ

&

A.M. SHAFFIQUE, J.

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Dated this, the 7th day of July, 2015

J U D G M E N T

Shaffique, J

Petitioner has approached this Court seeking police protection.

2. It is stated that petitioner is an infrastructure providing company who has put up a telecommunication tower. It is stated that they are unable to operate and maintain the same on account of obstruction being created by respondents 2 and 3 and their men.

3. Government had already issued orders forming a District Telecom Committee in terms of various Government Orders, which had been upheld by us and directions have been issued as per judgment of this Court in ***Indus Towers Ltd v. Sub Inspector of Police*** (2014 (4) KLT 306).

4. Having regard to the aforesaid judgment, we do not think that the direction as sought for can be granted in this writ

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-:2:-

petition. It shall be open for the petitioner to approach the District Telecom Committee for necessary orders.

Writ petition is disposed of as above.

Sd/-

ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-

A.M. SHAFFIQUE, JUDGE

Rp

//True Copy//

PS to Judge