

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

THURSDAY, THE 19TH DAY OF NOVEMBER 2015/28TH KARTHIKA, 1937

WP(C).No. 29491 of 2013 (J)

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
MALAPPURAM DISTRICT - 676 501.
2. THE STATION HOUSE OFFICER
CHANGARAMKULAM POLICE STATION
MALAPPURAM DISTRICT - 676 505.
3. ABOOBACKER (DELETED),
CHOZHIVALAPPIL HOUSE, PARAYAM VALAPPIL
AYILAKKADU P.O., AYILAKKADU, EDAPPAL
MALAPPURAM DIST. - 679 576.

(R3 IS DELETED AT THE RISK OF THE PETITIONER AS PER
ORDER DATED 10/12/2013 IN IA 16519/2013)
4. SABIRA ABOOBACKER
KOOTUNGAL PARAMBIL, AYILAKKADU.P.O.
EDAPPAL, MALAPPURAM DISTRICT -679 576.
5. ANTI MOBILE TELECOMMUNICATION TOWER ACTION GROUP,
EDAPPAL GRAMA PANCHAYATH, REPRESENTED BY SHAFI
KADAVILVALAPPIL HOUSE, AYILAKKADU P.O., AYILAKKADU
EDAPPAL, MALAPPURAM DISTRICT - 679 576.
6. EDAPPAL GRAMA PANCHAYATH REPRESENTED BY ITS SECRETARY
EDAPPAL, MALAPPURAM DISTRICT -679 576.

R6 BY ADV. SRI.T.SETHUMADHAVAN (SR.)
SRI.PUSHPARAJAN KODOTH
SRI.K.JAYESH MOHANKUMAR
SMT.VANDANA MENON

R4 BY ADV. SRI.V.K.SUNIL

R1 & R2 BY SR.GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 19-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS :-

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

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

EXT.P2: TRUE COPY OF RELEVANT NOTIFICATION CONFERRING THE
STATUS OF TELEGRAPH AUTHORITY ON THE PETITIONERS .

EXT.P3: TRUE COPY OF THE BUILDING PERMIT DATED 22/12/2010 .

EXT.P3(a) : TRUE COPY OF THE PROCEEDINGS OF THE ELECTRICAL
INSPECTOR SANCTIONING SERVICE CONNECTION DATED 23/11/2012 .

EXT.P3(b) : TRUE COPY OF THE EXTRACT OF CONSENT CERTIFICATE
ISSUED BY POLLUTION CONTROL BOARD FOR OPERATING DG SET DATED
19/10/2013 .

EXT.P4: TRUE COPY OF THE JUDGMENT DATED 22/7/2011 IN WPC
NO.8714/2011 .

EXT.P5: TRUE COPY OF THE ORDER OF THE HON'BLE TRIBUNAL IN
APPEAL NO.436/2011 DATED 25/9/2012 .

EXT.P6: TRUE COPY OF THE JUDGMENT DATED 4/6/2013 IN WPC
NO.30865/2012 .

EXT.P7: TRUE COPY OF THE COMPLAINT SUBMITTED BEFORE THE 2ND
RESPONDENT DATED 30/10/2013 .

EXT.P7(a) : TRUE COPY OF THE ACKNOWLEDGMENT TO THE P7 COMPLAINT
DATED 1/11/2013 .

EXT.P8: TRUE COPY OF THE PHOTOGRAPHS .

EXT.P8(a) : TRUE COPY OF THE PHOTOGRAPHS .

EXT.P8(b) : TRUE COPY OF THE PHOTOGRAPHS .

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

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

W.P.(C) No.29491 of 2013

Dated this the 19th day of November 2015

J U D G M E N T

Shaffique, J.

This writ petition is filed seeking for police protection for constructing telecommunication tower. This issue had already been decided by this Court in the judgment in **Indus Towers Ltd. v. Sub Inspector of Police** [2014 (4) KLT 306].

Under such circumstances, 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**

Jvt/19.11.2015.