



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2015

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Criminal Original Petition (MD) No.4609 of 2015

M/s.ATC India Town Corporation(P) Ltd.,
Rep. by its Authorised Signatory,
Ramesh Pallissery,
Circle Operation Head,
Circle Office at 443/304,
Guna Complex,
Annexure -1, Third Floor,
Anna Salai,
Teynampet,
Chennai - 600 018.

... Petitioner

Vs

- 1.The Superintendent of Police,
Virudhunagar District,
Collectorate Building,
Virudhunagar.
- 2.The Inspector of Police,
Virudhunagar East Police Station,
Virudhunagar.

... Respondents

PRAYER: This petition is preferred under Section 482 Cr.P.C to direct the respondents to give protection to the petitioner to complete installation and commissioning of telecommunication tower at T.S.No.38, Ward No.1, Door No.16/4-26 Perali Road, LPS Nagar, Near T.T.K.LRC, Virudhunagar, Virudhunagar District - 626 001, as per the petitioner's complaint, dated 07.03.2015.

For Petitioner : Mr.M.Saravanan
For Respondents : Mrs.S.Prabha
Government Advocate (Crl.Side)

ORDER

The petitioner approaches this Court to direct the respondents to give protection to the petitioner to complete the installation and commissioning of telecommunication tower at T.S.No.38, Ward No.1, Door No.16/4-26 Perali Road, LPS Nagar, Near T.T.K.LRC, Virudhunagar, Virudhunagar District - 626 001, as per the petitioner's complaint, dated 07.03.2015.

2. Heard the learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the respondents.



3. The learned counsel for the petitioner would submit that the issue involved in this case is no longer *res integra* in W.P.No.24976 of 2008, vide order, dated 05.03.2015.

4. In the absence of any legal right, the legal right of the petitioner to complete the installation and commissioning of telecommunication tower cannot be interfered with. Further, there is no record to show that the petitioner is doing the act illegally.

5. The learned counsel for the petitioner made reliance upon the orders of this Court in CrI.O.P(MD)No.26229 of 2012, vide order dated 07.11.2012 and CrI.O.P(MD)No.7244 of 2014, vide order dated 15.04.2014, wherein similar orders have been passed in favour of the petitioners therein.

6. Accordingly, the present petition is ordered directing the second respondent to give police protection to the petitioner to complete the installation and commissioning of telecommunication tower.

SD/-

Assistant Registrar(Writ)

/True copy/

Sub Assistant Registrar

pm
To

1.The Superintendent of Police,
Virudhunagar District,
Collectorate Building,
Virudhunagar.

2.The Inspector of Police,
Virudhunagar East Police Station,
Virudhunagar.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.M.Saravanan,Advocate in Sr NO.19791

CrI.O.P(MD) .No.4609 of 2015
17.04.2015

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