

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:07.03.2016

CORAM

THE HONOURABLE MS.JUSTICE R. MALA

CRL.O.P.No.5032 of 2016

V.Vignesh
Civil Engineer
M/S.Haima Projects Private Limited
5B Kanagaranga square
Sriman Srinivasan cross street
Alwarpet, Chennai-18. ... Petitioner

... Vs ...

The Inspector of police
R2 Kodambakkam police station
Chennai. ... Respondent

Prayer:- Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondent to provide effective police protection to the petitioner's company to erect cell phone tower and to install all the telecommunication electrical & electronics equipments and its maintenance work on the said BTS transmission Tower at the land comprising of T.S.No.26/3, Block No.37, Pulliyur Village, admeasuring 1100 sq.ft. along with building, situated at No.37/16, Aziz nagar, II street, Rangarajapuram, Kodambakkam, Chennai-24.

For Petitioner : Mr.N.Umapathi

For Respondents: Mr.C.Emalias,
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking for a direction to the respondent to provide effective police protection to the petitioner's company to erect cell phone tower and to install all the telecommunication electrical & electronics equipments and its maintenance work on the said BTS transmission Tower at the land comprising of T.S.No.26/3, Block No.37, Pulliyur Village, admeasuring 1100 sq.ft. along with building, situated at No.37/16, Aziz nagar, IIInd street, Rangarajapuram, Kodambakkam, Chennai-24.

2. The learned counsel for the petitioner would submit that the petitioner's company is a registered infrastructure service provider, certified by the Department of Telecommunications, Ministry of Communications and IT, Government of India. The petitioner's company had contract agreement for installation of cell phone tower with M/S.Indus Towers Ltd, a company registered under the Indian Companies Act, 1956. It is further submitted that whenever the petitioner's company attempted to erect cell phone tower, some unidentified persons have caused interference without any reason. The learned counsel for the petitioner also submitted that by order dated 05.03.2015, the Hon'ble First Bench of this Court, in W.P.Nos.24976 of 2008 and etc., batch, held that because of the advancement in the science, no one has prevented to erect cell phone towers. It is also submitted that the petitioner has given a representation dated 01.03.2016 to the respondent police seeking police protection and since the same has not been considered so far, he has come up with the present petition for the relief stated supra.

3. Heard the learned Additional Public Prosecutor.

4. Considering the facts and circumstances of the case, the respondent is directed to consider the petitioner's representation dated 01.03.2016 and pass appropriate orders on merits and in accordance with law, within a period of one week from the date of receipt of a copy of this order.

5. With the above direction, this Criminal Original Petition is disposed of.

kj

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Inspector of police,
R2 Kodambakkam police station,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.N.Umapathi, Advocate Sr 14701

KR/9/3/16

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