

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2016

CORAM

THE HONOURABLE MS.JUSTICE R. MALA

CRL.O.P.No.8148 of 2016

M/s.Indus Towers Limited,
Having its circle office at 5(NP), ESPEE, IT Park,
5th Floor, Jawaharlal Nehru Road,
Ekkatuthangal, Chennai - 600 097,
represented by its Assistant Legal Manager,
S.Prasanna .. Petitioner

.. Vs ..

The Inspector of police,
Ooty Town West Police Station,
Nilgiris District. .. Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondent herein to provide the effective police protection to the petitioner's company to erect transmission cell phone tower and to install all the telecommunication electrical and electronics equipments, OFC Cable and its maintenance work on the said BTS transmission Tower at Nilgiris District, Ooty Town in bearing Door No.182, Vivekananda Nagar, Tamiligam Road, Udhagamandalam.

For Petitioner : Mr.K.Govindarajan

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

ORDER

The petitioner has come forward with this petition seeking for a direction, directing the respondent herein to provide the effective police protection to the petitioner's company to erect transmission cell phone tower and to install all the telecommunication electrical and electronics equipments, OFC Cable and its maintenance work on the said BTS transmission Tower at Nilgiris District, Ooty Town in bearing Door No.182, Vivekananda Nagar, Tamiligam Road, Udhagamandalam.

2. The learned counsel for the petitioner would submit that the petitioner's company is incorporated and registered under the provisions of Indian Companies Act, 1956. The petitioner's company is a Joint Venture company of Bharti Airtel Ltd., Vodafone Essar Ltd., & Idea Cellular Limited. It is further submitted by the learned counsel for the petitioner that whenever the petitioner's company attempted to erect transmission cell phone tower, public is causing interference. 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 12.02.2016 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 appearing for the respondent.

4. Considering the facts and circumstances of the case, the respondent is directed to consider the petitioner's representation dated 12.02.2016 and pass appropriate orders on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS II)

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सत्यमेव जयते

Sub Assistant Registrar

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To

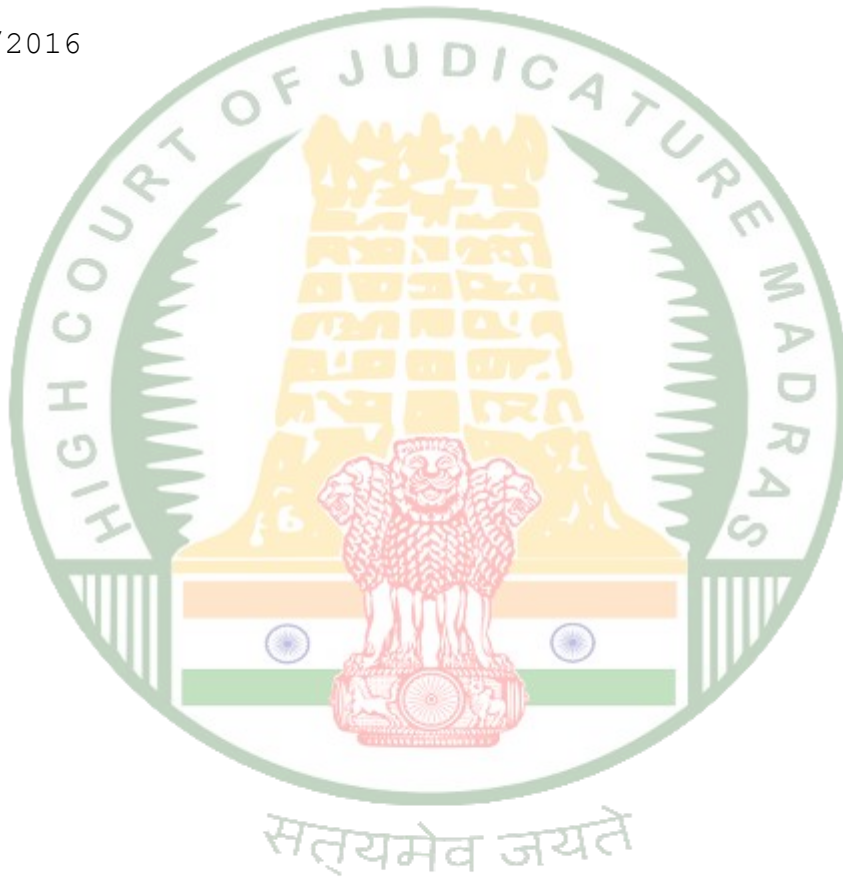
- 1.The Inspector of police,
Ooty Town West Police Station,
Nilgiris District.

2.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.K.Govindarajan, Advocate sr.25087

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pvs[co]
srg 10/05/2016



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