

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2016

CORAM

THE HONOURABLE MS.JUSTICE R. MALA

CRL.O.P.No.8743 of 2016

M/S.Chennai Network infrastructure limited

34/1 DL, New No.403L

7th floor, Samson towers

Pantheon road

Egmore, Chennai-8

Represented by its

Authorised signatory

Mr.T.Muralidharan

... Petitioner

... Vs ...

The Inspector of police

S-6 Shankar nagar police station

Chennai-75.

.. Respondent

Prayer:- Criminal Original Petition 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 fully complete the erection of the cell phone tower and to install all the telecommunication electrical & electronic equipments and for its regular maintenance work of the said Tower situated at Door No.11, Sivasankaran street, Pammal village, Chennai-75.

For Petitioner: Mr.C.Sakthimanikandan

For Respondents: Mr.C.Emalias,

Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking a direction to the respondent to provide effective police protection to the petitioner's company to fully complete the erection of the cell phone tower and to install all the telecommunication electrical & electronic equipments and for its regular maintenance work of the said Tower situated at Door No.11, Sivasankaran street, Pammal village, Chennai-75.

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

Telecommunication, Ministry of Communication and IT, Government of India. The petitioner's company had entered into a lease agreement dated 07.04.2015 with one E.Perumal, S/o.Easwarvelu, owner of the premises at Door No.11, Sivasankaran street, Pammal village, Chennai-75 for installation of cell phone tower. He would further submit that the petitioner has completed nearly 90% of the work of installation of the tower. They had also obtained electricity connection for the tower. The last stage of the installation is fixing the tower with diesel generator. It is further submitted that when this work is being carried out by the Engineers of the petitioner's company, some local persons have come to the site and prevented the Engineers and employees from carrying out the work. 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 01.04.2016 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 01.04.2016 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.

Sd/-

Assistant Registrar(CS VII)

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Sub Assistant Registrar

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To

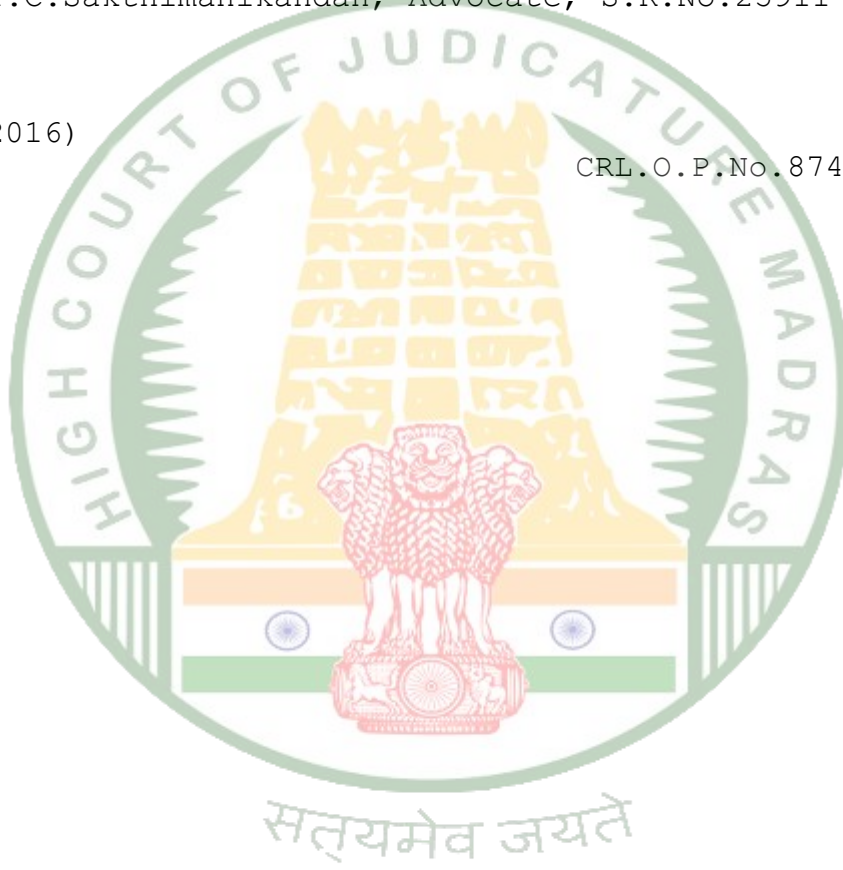
1.The Inspector of police
S-6 Shankar nagar police station
Chennai-75.

2. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.C.Sakthimanikandan, Advocate, S.R.No.25911

AD(CO)
EU(11/05/2016)

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