

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.01.2020

Coram:

The Honourable Mr. Justice P.RAJAMANICKAM

Crl.O.P.No.1290 of 2020

Tower Vision India Private Limited
Having its registered Office as
C-56, Neeti Bagh, New Delhi.

Having Circle Head Operations (TN)
Represented by
Mr.Sadhasivam Ramaniyam
"The Lords" Block 1, No.1 & 2 (NP)
Jawaharlal Nehru Road,
Ekkaduthangal, Chennai - 32. ... Petitioner

Vs.

- 1.The Commissioner of Police,
Chennai District.
- 2.The Inspector of Police,
H-6 RK Nagar Police Station,
Chennai - 21. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code to provide police protection to the petitioner's company to fully complete the erection transmission cell phone tower and to install all the telecommunication electrical & electronic equipment's, OFC cable and its maintenance work on the tower situate at R.S.No.1847/Part, Plot No.1167 measuring 242 square feet at JJ Nagar, Thondiarpet, Chennai - 81 measuring an extent of 242 Sq.ft.

For Petitioner : Mrs.R.Poornima
For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

The petitioner which is the company involved in erection of cellphone tower has come forward with this petition seeking police protection.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

3. The learned counsel for the petitioner relied on the decision of a Division Bench of this Court in W.P.Nos.24976 of 2008 etc. batch cases and the decision of a learned Single Judge of this Court in Crl.O.P.(MD).Nos.12596 to 12599 of 2014 and 12601 of 2014 would submit that without any basis their activities cannot be stopped.

4. The law regarding establishment of cellphone tower has already been dealt with in the judgments referred supra. In the absence of any illegality or unlawful activities, no one can interfere with the lawful activities of a person concerned. If there is any objection for construction and erection of cellphone tower, the objector will have to work out his remedy in the manner known to law instead of preventing the person concerned from putting up construction, which is legally entitled to do so.

5. For the reasons stated above, there shall be a direction to the 2nd respondent police to provide police protection to the petitioner for erection of the cell phone tower. The 2nd respondent police shall ensure that the entire process goes on in a smooth manner, without giving rise to any law and order problem and the petitioner shall pay a cost of Rs.10,000/- (Rupees Ten thousand only) to the respondent police towards police protection.

6. Accordingly, this Criminal Original Petition is disposed of with a direction to the respondents to give adequate police protection, if there is no legal impediments.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

dna

To

1.The Commissioner of Police,
Chennai District.

2.The Inspector of Police,
H-6 RK Nagar Police Station,
Chennai - 21.

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3.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.R.Poornima, Advocate, S.R.No. 4684

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VG II(CO)
GN(28/02/2020)



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