



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P. (MD) No.17195 of 2020

ATC Telecom Infrastructure Pvt. Ltd.,
Represented by Authorised Signatory,
N Senathipathi,

... Petitioner

vs.

1.The Superintendent of Police,
Near Collectorate Complex,
Dindigul District.

2. The Revenue Divisional Officer,
Collectorate, Dindigul District.

3. The State,
Rep. by Inspector of Police (Law & Order),
Dindigul Taluk Police Station,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to provide effective police protection to the petitioners company to fully complete the erection of transmission cell phone tower and to install all the telecommunication electrical and electronic equipment, cables at the open land admeasuring about 1050 Sq.ft. comprised in Sy.No. 825/19, Patta No. 902, Balakrishnapuram Village, Dindigul Taluk situated at Sub Registration District of Nagalnayakanpatti and Registration District of Dindigul -6, on the basis of the order of District Collector Dindigul dt. 06.03.2020, vide ROC. No. 5497/2020/B3 and petitioner representation dt. 10.03.2020.

For Petitioner : Mr.J. Ravikumar

For Respondents : Mr.R. Srinivasan
Government Advocate

O R D E R

This Writ petition has been filed seeking for a direction to the respondents to provide effective police protection to the petitioners company to fully complete the erection of transmission cell phone tower and to install all the telecommunication electrical and electronic equipment, cables at the open land admeasuring about 1050 Sq.ft. comprised in Sy.No. 825/19, Patta No. 902, Balakrishnapuram Village, Dindigul Taluk situated at Sub



Registration District of Nagalnayakanpatti and Registration District of Dindigul -6, on the basis of the order of District Collector Dindigul dt. 06.03.2020, vide ROC. No. 5497/2020/B3 and petitioner representation dt. 10.03.2020.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. In the affidavit, it has been stated that the petitioner is engaged in the business of installing and operating Telecommunication towers and infrastructure throughout the State of Tamil Nadu and Pan India for various Mobile Operators under License from the Union Ministry of Telecommunications. During the course of the business, the petitioner has entered into a Lease Deed with the landowner, permitting the petitioner to construct and operate a Telecommunication Tower in the lands comprised in T.S.No.285/1 D.No.56/78, Gandhiji New Road, Nagalnaykam Patti SRO, Dindigul. When the construction and installation works were carried out, some persons said have unlawfully trespassed into the licensed premises and threatened him not to install any tower in that area and also vandalized the premises and the illegal trespassers are preventing the petitioner from constructing telecommunication tower for which due license has been obtained, making baseless and unscientific claims about the effect of Radiation on the health of people. Thereafter, the petitioner has approached the District Collector seeking permission to install the Tower with police protection. The District Collector has issued an order, dated 25.06.2020 directing the respondents to afford police protection to the petitioner side. Eventhough, the petitioner has approached the first respondent on 15.07.2020 based on the order of the District Collector, the respondents herein have failed to provide necessary police protection till date, Hence, the petitioner is before this Court.

4. The learned Government Advocate (crl. Side) appearing for the respondent police would submit that he has no any objection to allow the petition. He would further submit that the respondents are ready to provide police protection based on the order, dated to the petitioner while installing the Telecommunication towers.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate appearing for the respondents.

6. Considering the submission made by the learned counsel for the petitioner, the respondents are directed to give adequate police protection to implement the Order of the District Collector, Dindigul District, Dindigul in proceedings No.ROC No.5497/2020/B3, dated 25.06.2020 by considering the representation of the petitioner, dated 10.03.2020.



7. With the above directions, this Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

WEB COPY

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To:-

1. The Superintendent of Police,
Near Collectorate Complex,
Dindigul District.
2. The Revenue Divisional Officer,
Collectorate, Dindigul District.
3. The Inspector of Police (Law & Order),
Dindigul Taluk Police Station,
Dindigul District.

+1 CC to M/s J.Ravikumar ,Advocate,in SR.No.23610.

W.P. (MD) No.17195 of 2020

30.11.2020

(PU)CO

AP (06/01/2021) 3P 5C