



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.12.2020

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THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

W.P. (MD)No.17730 of 2020

ATC Telecom Infrastructure Pvt. Ltd.,
Represented by Authorised Signatory,
N.Senathipathi
"Celestial Point" No.45, Damodharan Street,
T.Nagar, Chennai-600 017.

... 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 South Police Station,
Dindigul District.

... Respondents

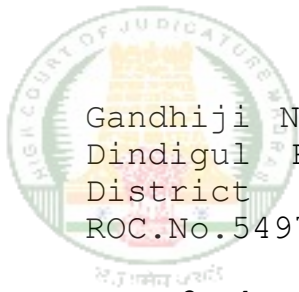
Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondents to provide effective police protection to the petitioner's company to fully complete the erection of the transmission cell phone tower and to install all the telecommunication electrical and electronic equipments, cables at the open land admeasuring about 500 Sq.ft. over building situated / comprised in T.S.No.285/1, D.No.56/78, Gandhiji New Road, Nagalnaykam Patti SRO, Dindigul Town 5th Ward, Dindigul Registration District, on the basis of the order of District Collector Dindigul dated 25.06.2020 vide ROC.No.5497/2020/B3 and petitioner representation dated 15.07.2020.

For Petitioner : Mr.J.Ravikumar

For Respondents : Mr.R.Srinivasan,
Government Advocate.

ORDER

This writ petition has been filed to direct the respondents to provide effective police protection to the petitioner's company to fully complete the erection of the transmission cell phone tower and to install all the telecommunication electrical and electronic equipments, cables at the open land admeasuring about 500 Sq.ft. over building situated / comprised in T.S.No.285/1, D.No.56/78,



Gandhiji New Road, Nagalnaykam Patti SRO, Dindigul Townn 5th Ward, Dindigul Registration District, on the basis of the order of District Collector Dindigul dated 25.06.2020 vide ROC.No.5497/2020/B3 and petitioner representation dated 15.07.2020.

2.The learned counsel appearing for the petitioner would submit that the petitioner's company is engaged in the business of installing and operating telecommunication towers and infrastructure throughout Tamil Nadu and the company has license from the Union Ministry of Telecommunication. He would further submit that the petitioner's company entered into a lease deed with the aforementioned land's owner and when construction works were carried out, few unidentified persons unlawfully trespassed into the premises and threatened not to install any tower in that area and vandalized the premises. He would also submit that the petitioner has due license for constructing telecommunication tower and the illegal trespassers are making baseless and unscientific claim about the effect of radiation on the health of the people. According to the petitioner, the telecommunication system is complying with all the norms and there is no proof to health issue due to radiation. The learned counsel would submit that due to the threat from the aforementioned people, the petitioner has approached the District Collector seeking permission to install the Tower with police protection and the District Collector also issued an order dated 25.06.2020 directing the respondents police to afford police protection to the petitioner's site. Despite the order of the District Collector, the respondents herein failed to provide necessary police protection to the petitioner's site. Hence, the petitioner filed this petition seeking the aforesaid relief.

3.Considering the facts and circumstances of the case, this Court directs the respondents to comply with the District Collector's order, dated 25.06.2020 and take adequate action, within a period of four weeks from the date of receipt of a copy of this order. Accordingly, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

gns

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



To

1.The Superintendent of Police,
Near Collectorate Complex,
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