



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.12616 of 2021

Indus Towers Limited
Rep. by its Authorised Signatory
Mr.S.Prasanna
No.5, ESPEE IT Park,
5th Floor, Jawaharlal Nehru Road,
Ekkattuthangal, Chennai 600 007.

...Petitioner

Versus

- 1.The Commissioner of Police,
Coimbatore City, Coimbatore District.
- 2.The Assistant Commissioner of Police
Coimbatore East Range, Coimbatore District.
- 3.The Inspector of Police,
Saravanampatti Police Station,
Coimbatore District.
- 4.The District Collector,
Coimbatore District.
- 5.The Tahsildar,
Coimbatore South Taluk,
Coimbatore District.
- 6.The Commissioner,
Corporation of Coimbatore,
Coimbatore District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to provide necessary police protection to the petitioner for their mobile phone tower works at the premises being about 289 Sq. feet of land at No.7H, 7th Street, Vinayagapuram, in S.F.No.182/2, Saravanampatti, Coimbatore District - 641035, on the representation dated 15.04.2021 to the 3rd respondent also sent via registered post on 20.04.2021, and direct the



respondents 4 to 6 to render necessary co-operation to the respondents 1 to 3 in the matter.

WEB COPY

For Petitioner : Mr. Anil Sandeep
For Respondents : Mr. A. Damodaran
Government Advocate
(Criminal Side)

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 Government Advocate (Criminal Side) 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 third respondent police to provide police protection to the petitioner for erection of the cell phone tower. The third 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 Writ Petition is disposed of with a direction to the respondents to give adequate police protection, if there is no legal impediments. No Costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

dna

To

- 1.The Commissioner of Police,
Coimbatore City, Coimbatore District.
- 2.The Assistant Commissioner of Police
Coimbatore East Range, Coimbatore District.
- 3.The Inspector of Police,
Saravanampatti Police Station,
Coimbatore District.
- 4.The District Collector,
Coimbatore District.
- 5.The Tahsildar,
Coimbatore South Taluk,
Coimbatore District.
- 6.The Commissioner,
Corporation of Coimbatore,
Coimbatore District.
- 7.The Public Prosecutor
High Court, Madras.

+1cc to Mr.S.Anil Sandeep,Advocate,Sr.27890

W.P.No.12616 of 2021

SKY[co]
NSK 23/07/2021