



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2021

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

WP(MD)No.676 of 2021

M/s.Indus Towers Limited,
Having its circle office at 5 (NP),
ESPEE, IT Park, 5th Floor,
Jawaharlal Nehru Road,
Ekkatuthangal, Chennai - 600 097.
Represented by its Assistant Legal Manager,
S.Prasanna

... Petitioner

Vs.

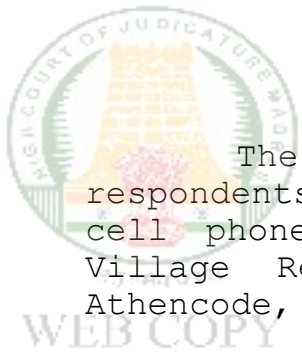
- 1.The Superintendent of Police,
District Police Office, Kanyakumari.
- 2.The Deputy Superintendent of Police,
Thuckalay Sub Division, Kanyakumari.
- 3.The Inspector of Police,
Kaliyakkavilai Police Station, Kanyakumari.
- 4.The District Collector,
District Collector Office, Kanyakumari.
- 5.The Municipal Commissioner,
Municipal Corporation,
Kanyakumari.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus directing the respondents 1 to 3 to provide police protection to the petitioner company to erect transmission cell phone tower, to install all the telecommunication electrical and electronics equipments, OFC Cable and its maintenance work on the said BTS transmission Tower at Vilavancode Taluk, Kulappuram Village Re.Survey No.485/1A in Old S.F.No.3281, Vakkanavilai, Athencode, S.T.Mankad, Methukummal, Kanniyakumari District and direct the respondents 4 and 5 to co-operate with respondents 1 to 3.

For Petitioner
For Respondents

:Mr.K.Govindarajan
:Mr.A.Robinson
Government Advocate (Criminal side)



O R D E R

The present petition is filed seeking for a direction to the respondents 1 to 3 to give police protection to erect transmission cell phone tower in the land at Vilavancode Taluk, Kulappuram Village Re.Survey No.485/1A in Old S.F.No.3281, Vakkanavilai, Athencode, S.T.Mankad, Methukummal, Kanniyakumari District.

2. Mr.A.Robinson, learned Government Advocate (Criminal side) accepts notice on behalf of the respondents.

3. The main grievance of the petitioner is that though they got necessary permission from the concerned Authorities to erect a mobile tower at Vilavancode Taluk, Kulappuram Village Re.Survey No.485/1A in Old S.F.No.3281, Vakkanavilai, Athencode, S.T.Mankad, Methukummal, Kanniyakumari District, the residents in and around the said land are preventing the petitioner from erecting the mobile phone tower.

4. It is the contention of Mr.K.Govindarajan, learned counsel for the petitioner that the representation submitted by the petitioner to the third respondent, the Inspector of Police, Kaliyakkavilai Police Station, Kanyakumari seeking for police protection, has not been considered till date.

5. In the facts and circumstances, there shall be a direction to the respondents 1 to 3 to provide adequate police protection to the petitioner for erection of the cell phone tower. The third respondent police shall ensure that the entire process goes smoothly without giving raise to any law and order problem. The petitioner shall pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the third respondent police towards police protection. The fourth and fifth respondents shall co-operate with the respondents 1 to 3.

6. With the above observations, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RMK

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.

<https://hcservices.ecourts.gov.in/hcservices/>



To

- 1.The Superintendent of Police,
District Police Office,
Kanyakumari.
- 2.The Deputy Superintendent of Police,
Thuckalay Sub Division,
Kanyakumari.
- 3.The Inspector of Police,
Kaliyakkavilai Police Station,
Kanyakumari.
- 4.The District Collector,
District Collector Office,
Kanyakumari.
- 5.The Municipal Commissioner,
Municipal Corporation,
Kanyakumari.

+1 CC to Mr.K.GOVINDARAJAN, Advocate (SR-5914[F] dated 18/02/2021)

Order made in
WP (MD) No.676 of 2021
17.02.2021

SV2 (CO)
SRS (04/03/2021) 3P : 7C