



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.02.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

WP(MD)No.2129 of 2021

WEB COPY

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, Ramanathapuram.
- 2.The Deputy Superintendent of Police,
Rameswaram Sub Division, Ramanathapuram.
- 3.The Inspector of Police,
Kenikkarai Police Station, Ramanathapuram.
- 4.The District Collector,
District Collector Office, Ramanathapuram.
- 5.The Municipal Commissioner,
Municipal Corporation, Ramanathapuram.

... 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 give police protection to the petitioner company to erect transmission cell phone tower, to install telecommunication electrical and electronics equipments, OFC Cable and also to do maintenance work on BTS transmission Tower at Ramanathapuram District, Vellipattinam, Peravur Village, Vaigai Nager, Patta No.1338, in S.F.No.152/5, subdivided in New S.F.No.152/5A1A, Re-Survey Patta No.8657 in S.F.No.152/26B.

For Petitioner
For Respondents

:Mr.K.Govindarajan
:Mr.R.Saravana Kumar,
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 in Patta No.1338, S.F.No.152/5, Subdivided in New S.F.No.152/5A1A, Re-Survey Patta No.8657 in S.F.No.152/26B, Vaigai Nager, Peravur Village,Vellipattinam, Ramanathapuram District.



2. Mr.R.Saravana Kumar, 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 in Patta No.1338, S.F.No.152/5, subdivided in New S.F.No.152/5A1A, Re-Survey Patta No.8657 in S.F.No.152/26B, Vaigai Nager, Peravur Village, Vellipattinam, Ramanathapuram District, the residents in and around the said land are preventing the petitioner from erecting the mobile phone tower.

4. It is the submission of Mr.K.Govindarajan, learned counsel for the petitioner that the representation submitted by the petitioner to the third respondent, the Inspector of Police, Kenikkarai Police Station, Ramanathapuram 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

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

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,
District Police Office, Ramanathapuram.

2.The Deputy Superintendent of Police,
Rameswaram Sub Division, Ramanathapuram.



3.The Inspector of Police,
Kenikkarai Police Station, Ramanathapuram.

4.The District Collector,
District Collector Office, Ramanathapuram.

5.The Municipal Commissioner,
Municipal Corporation, Ramanathapuram.

+1 CC to M/s.K.GOVINDARAJAN, Advocate (SR-4091[F] dated
09/02/2021)

WP (MD) No.2129 of 2021
08.02.2021

mj (CO)
KK(04.03.2021) 3P 7C