



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.02.2021

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

WP(MD)No.1961 of 2021

WEB COPY

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 District Collector,
Collectorate Office,
Tiruchirappalli District.

2.The Commissioner of Police,
Pudukottai Main Road,
Subramaniyapuram,
Tiruchirappalli District - 620 023.

3.The Assistant Commissioner of Police,
Golden Rock Range, Trichy - 620 004.

4.The State,
Represented by Inspector of Police (Law and Order),
Ariyamangalam Police Station,
Ariyamangalam, Tiruchirappalli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus directing the respondents 2 to 4 to give police protection to the petitioner company to erect transmission cell phone tower, to install telecommunication electrical and electronics equipments, Cables in the land admeasuring 1000 Sq. Ft. in S.No.265, Ukkadai, Ariyamangalam Village, Trichy Taluk and District situate at Sub Registration District of Joint III and Registration District of Trichy - 620 008.

For Petitioner	: Mr.J.Ravikumar
For Respondents	: Mr.S.Chandrasekar, Additional Public Prosecutor

O R D E R

The present petition is filed seeking for a direction to the respondents 2 to 4 to give police protection to erect transmission cell phone tower in the land in S.No.265, Ukkadai, Ariyamangalam Village, Trichy Taluk and District situate at Sub Registration District of Joint III and Registration District of Trichy.



2. Mr.S.Chandrasekar, learned Additional Public Prosecutor 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 S.No.265, Ukkadai, Ariyamangalam Village, Trichy Taluk and District situate at Sub Registration District of Joint III and Registration District of Trichy, the residents in and around S.No.265, Ukkadai, Ariyamangalam Village, Trichy Taluk and District situate at Sub Registration District of Joint III and Registration District of Trichy are preventing the petitioner from erecting the mobile phone tower.

4. It is the submission of Mr.J.Ravikumar, learned counsel for the petitioner that the representation submitted by the petitioner to the fourth respondent, the Inspector of Police, Ariyamangalam Police Station, Ariyamangalam, Tiruchirappalli District seeking for police protection, has not been considered till date.

5. In the facts and circumstances, there shall be a direction to the respondents 2 to 4 to provide adequate police protection to the petitioner for erection of the cell phone tower. The fourth 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 fourth respondent police towards police protection. The first respondent shall co-operate with the respondents 2 to 4.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note: (i) 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 District Collector,
Collectorate Office,
Tiruchirappalli District.

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



2.The Commissioner of Police,
Pudukottai Main Road,
Subramaniyapuram,
Tiruchirappalli District - 620 023.

3.The Assistant Commissioner of Police,
Golden Rock Range, Trichy - 620 004.

4.The Inspector of Police (Law and Order),
Ariyamangalam Police Station,
Ariyamangalam, Tiruchirappalli District.

5.The Additional Public Prosecutor
Madurai Bench Of Madras High Court,
Madurai.

+1 CC to Mr.J.RAVI KUMAR, Advocate (SR-4094[F] dated 09/02/2021)

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(MJ)

KV(25.02.2021) 3P 7C