



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.12.2021

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P(MD)Nos.9940, 9942, 10351, 13057, 13343, 13779, 13800, 15962, 15971, 16137, 16350 and 16362 of 2019

and

W.M.P(MD)No.10819 of 2019

WEB COPY

M/s.Reliance Jio Infocomm Ltd.,
Rep. Through its Legal Manager,
Having its Circle Office at
A1 Tower 8th G Floor, 89-90,
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 4

... Petitioner in All WPs

Vs-

The Inspector of Police,
Thatchanallur Police Station,
Tirunelveli District.

... Respondent in WP(MD)No.9940 of 2019

The Inspector of Police,
Alangulam Police Station,
Tirunelveli District.

... Respondent in WP(MD)No.9942 of 2019

The Inspector of Police,
Thiruverumbur Police Station,
Trichy District.

... Respondent in WP(MD)No.10351 of 2019

The Inspector of Police,
Pazhavor Police Station,
Tirunelveli District.

... Respondent in WP(MD)No.13057 of 2019

The Inspector of Police,
Manur Police Station,
Tirunelveli District.

... Respondent in WP(MD)No.13343 of 2019

The Inspector of Police,
Peraiyur Police Station,
Madurai District.

... Respondent in WP(MD)No.13779 of 2019

The Inspector of Police,
Othakadai Police Station,
Madurai District.

... Respondent in WP(MD)No.13800 of 2019

The Inspector of Police,
Thatchanallur Police Station,
Tirunelveli District.

... Respondent in WP(MD)No.15962 of 2019



The Inspector of Police,
Thalamuthu Nagar Police Station,
Thoothukudi District. ... Respondent in WP(MD)No.15971 of 2019

The Inspector of Police,
Kulasekarapattinam Police Station,
Thoothukudi District. ... Respondent in WP(MD)No.16137 of 2019

The Inspector of Police,
South Police Station,
Thoothukudi District. ... Respondent in WP(MD)No.16350 of 2019

The Inspector of Police,
Maraneri Police Station,
Virudhunagar District. ... Respondent in WP(MD)No.16362 of 2019

Prayer in WP(MD). 9940/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondent to provide effective police protection for erection of transmission cell phone tower and to install the telecommunication electrical and electronics equipments, OFC cable and the maintenance work on the said BTS Transmission Tower at SF 47/1 Madakudi Middle Street, Thatchanallur, Tirunelveli District .

Prayer in WP(MD). 9942/ 2019 :

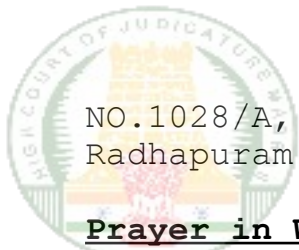
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondent to provide effective police protection for erection of transmission cell phone tower and to install the telecommunication electrical and electronics equipments, OFC cable and the maintenance work on the said BTS Transmission Tower at SF 372, Anna Nagar, Alankulam Village, Alankulam Taluk, Tirunelveli District

Prayer in WP(MD). 10351/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent to provide effective police protection for erection of transmission cell phone tower and to install the telecommunication electrical and electronics equipments, OFC cable and Ma.Pi.Va (Thi.Th) No. 42/85 Plot in the name of Ezhil Nagar in Plot No. 256, semangkulam village, Thiruverumbur Taluk, Trichy District

Prayer in WP(MD). 13057/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondent to provide effective police protection for erection of transmission cell phone tower and to install the telecommunication electrical and electronics equipments, OFC cable and Survey



NO.1028/A, Kalyanipuram KUdieruppu, Irukkanthurai Village,
Radhapuram Taluk, Tirunelveli District.

Prayer in WP(MD). 13343/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondent to provide effective police protection for erection of transmission cell phone tower and to install the telecommunication electrical and electronics equipments, OFC cable and SF 185/5, West Street (Colony Street) Nanjankulam, Tirunelveli District.

Prayer in WP(MD). 13779/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus directing the respondent to provide effective police protection for erection of transmission cell phone tower and to install the telecommunication electrical and electronics equipments, OFC cable and Plot No.7, Survey No.122/1, 122/2, 122/3, Regumath Nagar, Peraiyur Town, Madurai.

Prayer in WP(MD). 13800/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondent to provide effective police protection for erection of transmission cell phone tower and to install the telecommunication electrical and electronics equipments, OFC cable and Natham Survey No.132/11B, Alagu Nathchiarapuram Village, Rajakur, Madurai District.

Prayer in WP(MD). 15962/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Directing the respondent to provide effective police protection for erection of transmission cell phone tower and to install the telecommunication electrical and electronics equipments, OFC cable at Thamarai Nagar, 3rd Street, Near by Selva Vignesh Nagar Park, Thachanallur, Tirunelveli District.

Prayer in WP(MD). 15971/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to directing the respondent to provide effective police protection for erection of transmission cell phone tower and to install the telecommunication electrical and electronics equipments, OFC cable and kani towers, TMB Bank, T.Saveriyarpuram, Thoothukudi.

Prayer in WP(MD). 16137/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Directing the respondent to provide effective police protection for erection of transmission cell phone tower and to install the telecommunication electrical and



electronics equipments, OFC Cable at natham Survey No.389, Thanganagaram, Udangudi, Thoothukudi District.

Prayer in WP(MD). 16350/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To directing the respondent to provide effective police protection for erection of transmission cell phone tower and to install the telecommunication electrical and electronics equipments, OFC cable and Survey No.129/B, 2nd st, Mela Shanmugapuram, Thoothukudi.

Prayer in WP(MD). 16362/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To directing the respondent to provide effective police protection for erection of transmission cellphone tower and to install the telecommunication electrical and electronics equipments, OFC cable at Survey No.242/1B, Anayoor, Sivakasi, Virudhunagar District.

In all W.Ps

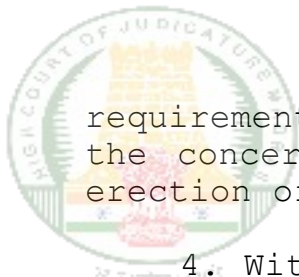
For Petitioner	: Mr.R.G.Shankaar Ganesh
For Respondent	: Mr.B.Thanga Aravindh Government Advocate

COMMON ORDER

These writ petitions have been filed by the Reliance Jio Infocomm Limited seeking permission to erect their Transmission Cell Phone Towers in their respective places and seeks to provide effective police protection.

2. The erection of Transmission Cell Phone Towers is not a matter of right for Telecommunication Department. Before erection, the petitioner's company have to seek No Objection Certificate from the District Collector under the Telecom Act and unless enter upon permission is granted by the District Collector subject to the compliance of the other provisions, Telecom Company cannot erect Transmission Cell Phone Tower and when there is no NOC from the appropriate authority, the respondent police cannot provide any police protection. In the said circumstances, the relief sought for by the petitioner in these 12 writ petitions cannot be *per se* granted.

3. The learned counsel appearing for the petitioner would submit that insofar as the writ petitions Nos.9942, 13343, 13779, 13800, 16137 & 16350 of 2019 are concerned they already erected Towers in the respective places and therefore, the prayer has become infructuous. In respect of other places, if erection is not made and if the petitioner's company is still needs to erect the Towers in the respective places, they shall comply with the statutory



requirements, particularly, will get 'No Objection Certificate' from the concerned District Collector and thereafter, proceed with the erection of Towers.

4. With this observation, all these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

am

To

- 1.The Inspector of Police,
Thatchanallur Police Station,
Tirunelveli District.
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Alangulam Police Station,
Tirunelveli District.
- 3.The Inspector of Police,
Thiruverumbur Police Station,
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- 4.The Inspector of Police,
Pazhavor Police Station,
Tirunelveli District.
- 5.The Inspector of Police,
Manur Police Station,
Tirunelveli District.
- 6.The Inspector of Police,
Peraiyur Police Station,
Madurai District.
- 7.The Inspector of Police,
Othakadai Police Station,
Madurai District.



- 8.The Inspector of Police,
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- 10.The Inspector of Police,
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Thoothukudi District.
- 11.The Inspector of Police,
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Thoothukudi District.
- 12.The Inspector of Police,
Maraneri Police Station,
Virudhunagar District.

COPY TO:

The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.G.SHANKAR GANESH, Advocate (SR-39615[F]
dated 20/12/2021)

W.P(MD)Nos.9940, 9942, 10351,
13057, 13343, 13779, 13800,
15962, 15971, 16137, 16350
and 16362 of 2019
17.12.2021

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