



W.P(MD)Nos.12883 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.06.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

**W.P(MD)No.12883 of 2022 and
WMP(MD).No.9140 of 2022**

M/s. Ascend Telecom Infrastructure Private Limited,
rep. by its Authorised Signatory,
Mr. Tamilselvan

...Petitioner

Vs.

1.The District Collector,
Thenkasi District.

2.The Superintendent of Police,
Thenkasi District.

3.The Inspector of Police,
Pavoorchatram Police Station,
Thenkasi District.

.. Respondents

PRAYER : Writ Petitions filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 2 and 3 to provide adequate police protection to the petitioner company and its staff and subordinates to erect, commissioning of equipments and to radiate the transmission tower at the lease site ID.No. 0011937 property being portion of the land 1200 Sq. Ft. out of 0.48 Cent situated at S.No.95/2B, Thenkasi District, Thenkasi Taluk,, Kallurani Village, situated in Registration District of Thenkasi, Sub Registration District of Pavoorchatram.



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For Petitioner : Mr.A.M.Venkatakrishnan
For Respondent : Mr.M.Sakthi Kumar
Government Advocate (crl.side)

ORDER

This Writ Petition has been filed for issuing a Writ of Mandamus directing the respondents 2 and 3 to provide adequate police protection to the petitioner company and its staff and subordinates to erect, commissioning of equipments and to radiate the transmission tower at the lease site ID.No. 0011937 property being portion of the land 1200 Sq. Ft. out of 0.48 Cent situated at S.No.95/2B, Thenkasi District, Thenkasi Taluk,, Kallurani Village, situated in Registration District of Thenkasi, Sub Registration District of Pavorchatram.

2. The learned counsel appearing for the petitioner submitted that the petitioners have erected and installed the telecommunication tower at Kalloorani Village, Thenkasi District. The land belongs to one Rani and now, seeks adequate police protection from the respondents 2 and 3 and hence, they have filed the present Writ Petition.



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3. The learned Government Advocate (Crl. Side) appearing for the respondents police would submit that as on date, the District Collector, Thenkasi has not approved and sanction for erection of Telecommunication of tower to the petitioner. In these circumstances, they cannot provide Police protection.

4. On perusal of the records and also the submission made by the learned Government Advocate (Crl. Side) appearing for the respondents it is seen that the petitioner write a letter to the District Collector on 29.10.2021 seeking approval and sanction for erection of telecommunication tower at Kalloorani Village, Thenkasi District in a place belong to Rani, W/o. Durairaj.

5. According to the petitioner, who are the sanctioning authority to the erection of telecommunication tower. As per the petitioner, based on his letter dated 29.10.2021 there is no order passed by the District Collector for approving the erection of telecommunication tower and the approval of the District Collector is not available on record. Under these circumstances, direction to the respondents 2 and 3 to provide adequate police protection to the petitioner cannot be issued.



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6. Hence, I do not find no merit any merit in this petition and accordingly, this Writ Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

23.06.2022

Index :Yes/No
Internet: yes / No
trp

To

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V.SIVAGNANAM., J

trp

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