



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.04.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD) .No.22825 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, Trichy.

2.The Deputy Superintendent of Police,
Musiri Sub-Division, Trichy District.

3.The Inspector of Police,
Uppiliyapuram Police Station, Trichy.

4.The District Collector,
District Collector Office, Trichy.

5.The Tahsildar,
Thuraiyur, Trichy.

6.The Executive Officer,
Uppiliyapuram Town Panchayath.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents 1 to 3 to provide the effective police protection to the petitioner company to erect transmission cell phone tower and to install all the telecommunication electrical and electronics equipments, OFC Cable and its maintenance work on the said BTS transmission Tower at No.2/350, Reddiyar Street, Varichettipalayam Po, Thuraiyur, Trichy -621012, and direct the Respondents 4 to 6 to co-operative with Respondents 1 to 3.

For Petitioner	: Mr.T.N.Karthikeyan
For R1 and R5	: Mr.K.Sanjai Gandhi, Government Advocate (Crl.Side)
For R6	: Mr.R.Baskaran, Standing Counsel



ORDER

Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.Side) appearing for the respondents 1 to 5 and the learned Standing Counsel appearing for the sixth respondent.

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2.The petitioner is engaged in the business of operation and maintenance of mobile phone towers across India for all the mobile phone operators / service providers. The petitioner has given an application, dated 24.09.2021, to the fourth respondent for installation of telecom infrastructure with allied equipments at No.2/350, Reddiyar Street, Varichettipalayam Po, Thuraiyur, Trichy -621012. The said application is yet to be processed. Since the petitioner has also been encountering resistance in almost every place of work, they have been filing writ petitions before this Court for being provided with police protection for carrying out their works. Those writ petitions have been disposed of with certain directions. One such order dated 29.11.2021, made in W.P.(MD) No.21180 of 2021 has been enclosed in the typed set. In consonance with the said order, this writ petition is disposed of in the following directions:~

i) The application dated 24.09.2021 submitted by the petitioner to the fourth respondent shall be disposed of by the fourth respondent within a month in accordance with the guidelines issued by the Government from time to time.

ii) The result of the application must be intimated to the petitioner within a week thereafter.

iii) Depending upon the outcome of the permission application, the petitioner is at liberty to make proper representation for taking police protection, if any necessity arises mentioning the facts and circumstances and necessity.

iv) If such request or representation is made by the petitioner, the respondent police is hereby directed to consider the same on merits and give police protection, if permission is granted by the District Collector for installing mobile phone towers in the area as mentioned in this writ petition, immediately.

No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



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.

WEB COPY

- To
- 1.The Superintendent of Police,
District Police Office,
Trichy.
 - 2.The Deputy Superintendent of Police,
Musiri Sub-Division, Trichy District.
 - 3.The Inspector of Police,
Uppiliyapuram Police Station,
Trichy.
 - 4.The District Collector,
District Collector Office,
Trichy.
 - 5.The Tahsildar,
Thuraiyur, Trichy.
 - 6.The Executive Officer,
Uppiliyapuram Town Panchayath.

+1 CC to M/s.T.N. KARTHIKEYAN, Advocate (SR-21308[F] dated 26/04/2022)

W.P (MD) .No.22825 of 2021
26.04.2022

RS (25.05.2022) 3P-8C