



W.P(MD)No.28615 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.28615 of 2022

M/s.ATC Telecom Infrastructure Private Limited,
represented by its Authorized Signatory
N.Senathipathi, Legal Manager,
having Circle Office at “Celestial Point”,
No.45, Damodharan Street,
Opposite to T.Nagar Bus Stand,
T.Nagar, Chennai-600 017.

... Petitioner

Vs.

1.The Superintendent of Police,
District Police Office,
Thoothukudi, Thoothukudi District.

2.The Inspector of Police,
Thalamuthunagar Police Station,
Thalamuthunagar,
Thoothukudi District.

3.The District Collector,
District Collector Office,
Thoothukudi,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the



W.P(MD)No.28615 of 2022

respondents 1 and 2 to provide the effective police protection to the petitioner company to erect transmission cell phone tower and to install all the telecommunication electrical & electronics equipments, OFC cable and its maintenance work on the said BTS transmission Tower on the property of Mrs.Selvarani, W/o.Singarayen, bearing Plot Nos.31 & 32, S.No.179/1, Sub Division S.No.179/1A & 179/1A3, lying and situated at Mappillaiurani Village, Thoothukudi Taluk, Kezhur SRO, Thoothukudi District as per the complaint dated 14.11.2022.

For Petitioner	: Mr.M.Govindarajan for Mr.M.Karal Marx
For R1 & R2	: Mr.E.Antony Sahaya Prabahar Additional Public Prosecutor
For R3	: Mr.C.Baskaran Government Advocate

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the respondents 1 and 2 to provide the effective police protection to the petitioner company to erect transmission cell phone tower and to install all the telecommunication electrical & electronics equipments, OFC cable and its maintenance work on the said BTS transmission Tower on the property of Mrs.Selvarani,



W.P(MD)No.28615 of 2022

W/o.Singarayen, bearing Plot Nos.31 & 32, S.No.179/1, Sub Division S.No.179/1A & 179/1A3, lying and situated at Mappillaiurani Village, Thoothukudi Taluk, Kezhur SRO, Thoothukudi District as per the complaint dated 14.11.2022.

2. Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor takes notice for the respondents 1 and 2. Mr.C.Baskaran, learned Government Advocate takes notice for the third respondent.

3. The main grievance of the writ petitioner is that though they got necessary permission from the concerned Authorities to erect cell phone tower in Plot Nos.31 & 32, S.No.179/1, Sub Division S.No.179/1A & 179/1A3, lying and situated at Mappillaiurani Village, Thoothukudi Taluk, Kezhur SRO, Thoothukudi District, the residents in and around the said land are preventing the writ petitioner from erecting the cell phone tower and that they sought police protection by giving a representation to the respondents 1 and 2 dated 14.11.2022. But, the respondents 1 and 2 have not considered the said representation. Since no order was passed, the writ petitioner has come before this Court for the above said relief.



W.P(MD)No.28615 of 2022

4. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that the respondents 1 and 2 have received the representation of the writ petitioner and the same is pending for consideration.

5. Recording the submission made by the learned Additional Public Prosecutor, the second respondent is directed to consider the representation of the writ petitioner dated 14.11.2022 and pass orders within a period of one week from the date of receipt of a copy of this order, in accordance with law.

6. With the above direction, this Writ Petition stands disposed of.
No cost.

23.12.2022

Index :Yes/No
Internet : Yes/ No
csm



W.P(MD)No.28615 of 2022

To

WEB COPY

1. The Superintendent of Police,
District Police Office,
Thoothukudi, Thoothukudi District.
2. The Inspector of Police,
Thalamuthunagar Police Station,
Thalamuthunagar,
Thoothukudi District.
3. The District Collector,
District Collector Office,
Thoothukudi,
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P(MD)No.28615 of 2022

K.MURALI SHANKAR, J

csn

Order made in
W.P(MD)No.28615 of 2022

Dated : 23.12.2022