



W.P.No.28154 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2023

CORAM:
THE HON'BLE DR.JUSTICE G. JAYACHANDRAN

W.P.No.28154 of 2023

M/s.Ascend Telecom Infrastructure Private Ltd.,
Rep.by its Authorized Signatory,
Mr.Tamilselvan,
Having Office address at
Old No.32, New No.54, Butt Road,
St.Thomas Mount, Near Kathipara Junction,
Chennai – 600 016.

...Petitioner

Vs.

1. The District Collector,
Collectorate Kallakurichi – 606 206.
2. The Superintendent of Police,
Kallakurichi – 606 202.
3. The Inspector of Police,
Pagandai Kootusalai Police Station,
Kallakurichi District – 605 801.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking for a writ of mandamus, to direct the second and third respondent to provide effective police protection for the mobile phone tower erection and operation work of the petitioner at the premises being a portion of land of 1200 sq.ft. vacant land out of the 1833 sq.ft comprised in new survey



W.P.No.28154 of 2023

no.155/2 old survey no.41A/6 of land property at Kallakurichi registration District, Sankarapuram sub registration district in the boundary of Kallakurchi district, Sankarapura, Taluk, Ariyalur village, in the light of the order passed by this Court in W.P.(MD).No.12971 of 2020 dated 16.10.2020.

For petitioner : Mr.Karpagam
For Respondents : S.Udaya Kumar
: Government Advocate (Crl.Side)

ORDER

The petitioner, which is Telecom company, wants to erect a signal tower against the wish of the local public, for which, they seek police protection.

2. The Indian Telegraph Act, 1885, provides for a procedure to enter upon the land of others. Without resorting to the said procedure, the said private place cannot be entered with police protection, that too, against the wish of the public of that locality.

In view of the above, writ petition stands dismissed. No costs.

09.10.2023

vca

Internet : Yes/No

Index : Yes/No



W.P.No.28154 of 2023

To:

1. The District Collector,
Collectorate Kallakurichi – 606 206.
2. The Superintendent of Police,
Kallakurichi – 606 202.
3. The Inspector of Police,
Pagandai Kootusalai Police Station,
Kallakurichi District – 605 801.
4. The Public Prosecutor,
High Court Madras,
Chennai.



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DR.G. JAYACHANDRAN, J.

vca

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