



W.P.(MD).No.5168 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2023

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

W.P.(MD).No.5168 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 16.

.. Petitioner

Vs.

- 1.The District Collector,
Thanjavur District,
Thanjavur.
- 2.The Superintendent of Police,
Thanjavur District, Thanjavur.
- 3.The Inspector of Police,
Madukkur Police Station,
Thanjavur District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, to direct the respondents to provide effective police protection to the petitioners company and its staff subordinate and to erect transmission cell phone tower in the land space admeasuring about 900 Sq.ft. of vacant land out of 12.67 cents of land



W.P.(MD).No.5168 of 2023

situated in S.F.No. 143/11A, Vikramam Village, Pattukkottai Taluk, Thanjavur District on the basis of the complaint filed by the petitioner dated 29.08.2022.

For Petitioner : Mr.C.Padmaraj

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This writ petition has been filed to direct the respondents to provide effective police protection to the petitioners company and its staff subordinate and to erect transmission cell phone tower in the land space admeasuring about 900 Sq.ft. of vacant land out of 12.67 cents of land situated in S.F.No. 143/11A, Vikramam Village, Pattukkottai Taluk, Thanjavur District on the basis of the complaint filed by the petitioner dated 29.08.2022.

2.Even though the learned counsel for the petitioner submitted that proper permission and letter has been submitted to the District Collector, who is the first respondent herein, on 10.03.2023, so far that was not considered by the first respondent. But, not even a copy of the above said letter have been enclosed along with the typed set of papers.



W.P.(MD).No.5168 of 2023

3.The learned Additional Public Prosecutor would submit that no such permission letter is available with the first respondent herein.

4.Let the proper letter seeking permission be submitted by the petitioner within a period of one week from the date of receipt of a copy of this order. On receipt of such representation, the first respondent herein shall consider the same on its own merits and pass orders within a period of fifteen days, thereafter. Depending upon the order passed by the first respondent, if any trouble arises for installing the cellphone tower, representation may be given to the third respondent herein. If such representation is received, the third respondent shall enquire the same by summoning the petitioner as well as the objectors to find out any necessity e for police protection.

5.With the above said directions, this writ petition stands disposed of.

17.03.2023

Index : Yes / No
Internet : Yes / No
TM

To



W.P.(MD).No.5168 of 2023

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- 3.The Inspector of Police,
Madukkur Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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W.P.(MD).No.5168 of 2023

G.ILANGO VAN,J.

TM

W.P.(MD).No.5168 of 2023

17.03.2023