



W.P(MD)Nos.11879 & 11880 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.05.2023

CORAM

THE HONOURABLE MRS. JUSTICE **T.V.THAMILSELVI**

W.P (MD)Nos.11879, 11880 and 12326 to 12328 of 2023

M/s.Indus Towers Limited,
No.5(NP), ESPEE, IT Park,
V Floor, Jawaharlal Nehru Road,
Ekkatuthangal, Chennai-600 097,
Rep.by its Assistant Legal Manager,
S.Prasanna

...Petitioner

in W.P.(MD)Nos.11879 & 11880 of 2023

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

... Petitioner

in W.P.(MD)Nos.12326 to 12328 of 2023

Vs.

1.The District Collector,
Dindigul District, Dindigul.

2.The Superintendent of Police,
District Police Office, Dindigul District.

3.The Inspector of Police,
Law and Order,
Dindigul Town Police Station,
Dindigul District.

... Respondents

in W.P.(MD)No.11879 of 2023



W.P.(MD)Nos.11879 & 11880 of 2023

1. The District Collector,
Karur District.

2. The Superintendent of Police,
O/o. The Superintendent of Police,
Collector Office Campus, Behind RTO Office,
Thanthoni, Karur District.

3. The Inspector of Police,
Law and Order,
E-1 Police Station, Velayutham Palayam,
Karur District.

... Respondents
in W.P.(MD)No.11880 of 2023

1. The Superintendent of Police,
Kadampa Nagar, Ramanathapuram,
Tamil Nadu-623503.

2. The Inspector of Police,
Rameshwaram Town Police,
Ramanathapuram District.

... Respondents
in W.P.(MD)Nos.12326 to 12328 of 2023

Prayer in W.P.(MD)Nos.11879 & 11880 of 2023: Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the first respondent to grant permission to the petitioner by considering the petitioner's applications dated 24.08.2022 and 12.04.2022 for the mobile phone tower erection and operation work of the petitioner at the premises comprised in T.S.No.1966/3 in Door No.239, Block No.65, Ward No.6, Kumaran Thirunagar, Y.M.R.Patti, Dindigul Town, Dindigul District measuring 400 sq.ft. vacant land and S.No.100/C, Thirukkaduthurai Village, Thirukkaduthurai Panchayat, Velayathampalayam, Karur District measuring 1600 sq.ft vacant land in the light of the order passed by this Court in W.P(MD).No.12971 of 2020 and consequently, direct the second and third respondents to provide



W.P.(MD)Nos.11879 & 11880 of 2023

necessary police protection to the petitioner for their mobile phone tower erection and operation work in the said premises.

Prayer in W.P.(MD)No.12326 of 2023: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the first and second respondents to provide effective police protection to the petitioner's company and its staff, subordinate to erect transmission cell phone tower for the property being a portion of land measuring 1200 sq.ft of vacant land out of 570.4 sq. meter of house with land property at Ramanathapuram, Ramanathapuram registration District, Rameshwaram Sub Registration District, Kothandam Karaiyur Survey Nos.1047/5, 1047/6, 1047/6A1, Patta No.197 based on the complaint dated 03.05.2023 with CST No.99/2023.

Prayer in W.P.(MD)No.12327 of 2023: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the first and second respondents to provide effective police protection to the petitioner's company and its staff, subordinate to erect transmission cell phone tower for the property being a portion of land measuring 1200 sq.ft out of the property at 12.84 ares Ramanathapuram District, Rameshwaram Taluk, Rameshwaram Village, comprised in Survey Nos.180/2A4B and 180/2B2A, Patta No.8931.

Prayer in W.P.(MD)No.12328 of 2023: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the first and second respondents to provide effective police protection to the petitioner's company and its staff, subordinate to erect transmission cell phone tower for the property being a portion of land measuring 1200 sq.ft out of the property at 25 ares Ramanathapuram District, Rameshwaram Taluk, Rameshwaram



W.P.(MD)Nos.11879 & 11880 of 2023

Village, comprised in Survey Nos.384, Sub Division 2A1, Patta No.7341 based on the complaint dated 03.05.2023 with CSR No.99/2023, dated 03.05.2023.

For Petitioner : Mr.M.Ponniah
(in W.P.(MD)Nos.11879 & 11880 of 2023)
For Petitioner : Ms.M.Karpagam
(in W.P.(MD)Nos.12326 to 12328 of 2023)
For Respondents : Mr.M.Sakthi Kumar
(in all W.Ps.) Government Advocate (Crl.Side)

COMMON ORDER

These Writ Petitions have been filed seeking police protection for the petitioner's company and its staff, subordinate to erect transmission cell phone tower in the lands in question.

2.The main contention of the petitioners is that though they have got necessary permission from the competent authorities to erect a mobile tower in the lands in question, the residents in and around the said areas are preventing the petitioners from erecting the mobile tower.

3.The learned counsel for the petitioners would further submit that the representations submitted to the third respondent have not been considered till date.



W.P(MD)Nos.11879 & 11880 of 2023

4.Considering the above facts and circumstances of the case, the concerned District Collector and Superintendent of Police are directed to provide police protection to the petitioners for erection of cell phone tower and they shall ensure that the entire process goes smoothly without giving any room for law and order problem. The petitioners are directed to pay a sum of Rs. 20,000/- (Rupees Twenty Thousand Only) for every erection of tower to the second respondent for providing police protection.

5.With the above directions, the Writ Petitions stand disposed of. No costs.

18.05.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

MYR

To

- 1.The District Collector,
Dindigul District, Dindigul.
- 2.The Superintendent of Police,
District Police Office, Dindigul District.
- 3.The Inspector of Police,
Law and Order,
Dindigul Town Police Station,
Dindigul District.



WEB COPY



W.P(MD)Nos.11879 & 11880 of 2023

T.V.THAMILSELVI, J.

MYR

- 4.The District Collector,
Karur District.
- 5.The Superintendent of Police,
O/o. The Superintendent of Police,
Collector Office Campus, Behind RTO Office,
Thanthoni, Karur District.
- 6.The Inspector of Police,
Law and Order,
E-1 Police Station, Velayutham Palayam,
Karur District.
- 7.The Superintendent of Police,
Kadampa Nagar, Ramanathapuram,
Tamil Nadu-623503.
- 8.The Inspector of Police,
Rameshwaram Town Police,
Ramanathapuram District.

W.P (MD)Nos.11879, 11880 and
12326 to 12328 of 2023

18.05.2023