



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-09-2025

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THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

WP CrI. No. 742 of 2025

1. M/s.Nippo Green Energy Private
Limited

Represented by D.Arumugam, M/A.45
years Authorized Representative,
No.77, PottiPatti Plaza, 3rd Floor,
Nungambakam High Road,
Nungambakkam, Chennai - 600 034.

Petitioner(s)

Vs

1. The District Collector
Mayiladuthurai District, Mayiladuthurai
- 609 001.

2.The Superintendent of Police,
District Police Office, Mayiladuthurai
District - 609 001.

3.The Deputy Superintendent of Police,
Sirkazhi, Mayiladuthurai District - 609
110.

4.The Revenue Divisional Officer,
Sirkazhi, Mayiladuthurai District - 609
111.



5. The Inspector of Police,
Thiruvenkadu Police Station, Sirkali,
Mayiladuthurai District - 609 114.

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Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India to direct the respondents herein to provide police protection to the petitioner for the purpose of installation, erection and commissioning of Solar Power Plant on the project site of the petitioner at Perunthottam Village, Sirkazhi Taluk, Mayiladuthurai District by considering the representation of the petitioner dated 15.04.2025 and pass such further or other orders as this Honble Court.

For Appellant(s): Mr.A.Nagarajan

For Respondents: Mr.R.Vinodhraj,
Government Advocate [CrI.Side]

ORDER

This Writ Petition has been filed to direct the respondents herein to provide police protection to the petitioner for the purpose of installation, erection and commissioning of Solar Power Plant on the project site of the petitioner at Perunthottam Village, Sirkazhi Taluk, Mayiladuthurai District by considering the representation of the petitioner dated 15.04.2025.



WEB COPY 2. The case of the petitioner is that the subject property at Perunthottam Village, Sirkazhi Taluk, Mayiladuthurai District was taken on lease for 25 years by the petitioner company from M/s.Indo National Limited for erection of a Solar Power Plant. The subject property was duly surveyed and approved by the appropriate authority concerned. Already, the Tamilnadu General and Distribution Corporation Ltd. haf granted permission to the petitioner for installation of Solar Power Plant vide their letter dated 18.06.2024.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate [Criminal Side] appearing for the respondents

3. It is the contention of the learned counsel for the petitioner that when the petitioner attempted to erect the solar power plant, the residents of the area came to the spot and started causing hindrance to the company officials from carrying out the construction work. The petitioner also gave a representation to the respondent Police to provide them with protection. However, the respondent



Police had not acted upon the said complaint and therefore, the present Writ

Petition has been filed.

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5. The learned counsel appearing for the petitioner would submit that the issue involved in this Writ Petition is covered by the earlier Judgments of this Court. The learned counsel brought to the notice of this Court the order passed by this Court in CrI.O.P.No.16618 of 2018, in similar circumstances, this Court pass the following Order :

“2.The learned counsel for the petitioner would submit that the petitioner's company had the contract agreement for installation of cell phone tower with M/s.Indus Towers Limited, a company registered under the provisions of Indian Companies Act, 1956. It is further submitted by the learned counsel for the petitioner that whenever the petitioner's company attempted to erect transmission cell phone tower, publics are causing interference. The learned counsel for the petitioner also submitted that by order dated 05.03.2015, the Honourable First Bench of this Court, in W.P.Nos.24976 of 2008 and etc., batch, held that because of the advancement in the science, no one has prevented to erect cell phone towers. It is also submitted that the petitioner has given a



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complaint dated 24.02.2016 to the first respondent police seeking police protection, for which C.S.R.No.42 of 2016 and since the same has not been considered so far, he has come up with the present petition for the relief stated supra.

3.Heard the learned Additional Public Prosecutor appearing for the respondent.

4.Considering the facts and circumstances of the case, the petitioner is directed to send a fresh representation to the respondent and on receipt of the same, the respondent is directed to consider the representation to be submitted by the petitioner and pass appropriate orders on merits and in accordance with law, within a period of one week from the date of receipt of copy of this order.

5.With the above directions, this Criminal Original Petition is disposed of.”

7. This Court has consistently taken the view that no one can be prevented from erecting the solar power plants on a mere apprehension that it would pollute the land or atmosphere. The apprehension does not have a scientific backing. Till a positive finding is given in this regard, solar power plants cannot be prevented to be installed on mere apprehensions.



8. Considering the above facts and circumstances, there shall be a direction to the respondents to consider the representation of the petitioner and to provide police protection to the petitioner for erection of the solar power plant. The respondents shall also ensure that the entire process goes on in a smooth manner, without giving raise to any law and order problem.

With the above direction, this Writ Petition is disposed of.

04-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

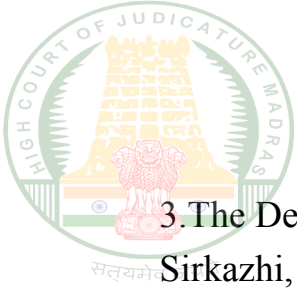
To

1. The District Collector

Mayiladuthurai District, Mayiladuthurai
- 609 001.

2. The Superintendent of Police,

District Police Office, Mayiladuthurai
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