



WP CRL.(MD). No.2430 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 05/12/2025

CORAM

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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M/s. Ascend Telecom Infrastructure Private Limited,
Rep. by its Authorized Signatory,
G.Kalidoss

... Petitioner

Vs

1. The District Collector,
Kanyakumari District,
Kanyakumari.
2. The Superintendent of Police,
Kanyakumari District,
Nagercoil.
3. The Inspector of Police,
Kulaseakaram Police Station,
Kanyakumari 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 respondents 2 and 3 to provide police protection to the petitioners's company personnels, site workers and contractors for installation of cell phone tower in respect of work site at the property in S.F.No.281 of 5B



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of Ponnmanal Village, Vedalicode, Kalkulam Taluk, Kanyakumari District, on the basis of petitioner's representation dated 07.08.2025, within a time frame that may be stipulated by this Court.

For Petitioner : Mr.P.Suresh,
For R1 : Mr.M.Muthu Manikkam
Government Advocate (Crl.Side)
For R2 and R3 : Mr.A.S.Abul Kalaam Azad
Government Advocate (Crl.Side)

ORDER

This writ petition has been filed seeking direction to the respondents 2 and 3 to provide police protection to the petitioners's company personnels, site workers and contractors for installation of cell phone tower in respect of work site at the property in S.F.No.281 of 5B of Ponnmanal Village, Vedalicode, Kalkulam Taluk, Kanyakumari District, on the basis of petitioner's representation dated 07.08.2025.

2. The learned counsel for the petitioner seeking permission to erect the transmission cell phone Tower in Survey No.281 of 5B, Ponnmanal Village, Vedalidode, Kalkulam Taluk, Kanyakumari District and the petitioner had already submitted an application on 17.07.2025



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and the Act provides for deemed approval after 45 days. In fact, the petitioner received the deemed approval upon expiry of the limitation period

3. In the meanwhile, objections were raised by the local people, pursuant to which the Village Administrative Officer's Circular dated 07.08.2025 was brought to the notice of the Tahsildar, who in turn, submitted a report to the District Collector vide proceedings dated 07.08.2025, stating that a law and order problem would arise.

4. Considering the facts and circumstances of the case, the District Collector is directed to conduct an enquiry by issuing notice to the petitioner as well as the objectors who are present in the said area. After conducting the enquiry, the District Collector shall pass appropriate orders. However, while conducting the enquiry and passing orders, the District Collector shall strictly take into consideration that the petitioner has already received deemed approval as per the statute. Based upon order to be passed by the District Collector, the respondent police are directed to proceed in accordance with law.



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5. With the above said directions, this Writ Petition is disposed of.

No Costs.

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05.12.2025

TO

1. The District Collector,
Kanyakumari District,
Kanyakumari.
2. The Superintendent of Police,
Kanyakumari District,
Nagercoil.
3. The Inspector of Police,
Kulaseakaram Police Station,
Kanyakumari District.



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S.SRIMATHY,J

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**ORDER
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Date : 05/12/2025