



WP CRL.(MD). No.2416 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 04/12/2025

CORAM

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

WP CRL.(MD). No.2416 of 2025

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,
Kanyakumari Police Station,
Kanyakumari District.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of mandamus, directing the 2nd and 3rd respondents to provide police protection, to the petitioner's company personnels, site workers, and contractors for the installation of a cell phone tower at the work



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site situated in Survey No.532/16 of Kanyakumari Village, Agasteeswaram Taluk, Kanyakumari District, based on the petitioner's representation dated 07.08.2025, within a time frame that may be stipulated by this Court.

For Petitioner : P.Suresh,
Advocate.

For Respondents : Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl.Side)

ORDER

This writ petition is filed for issuance of a writ of mandamus, directing the 2nd and 3rd respondents to provide police protection, to the petitioner's company personnels, site workers, and contractors for the installation of a cell phone tower at the work site situated in Survey No.532/16 of Kanyakumari Village, Agasteeswaram Taluk, Kanyakumari District, based on the petitioner's representation dated 07.08.2025, within a time frame that may be stipulated by this Court.

2. Heard both sides.



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3.It is seen already the objectors filed W.P(MD)No.5279/2025 in which the Hon'ble Division Bench has already considered and passed order dated 28.02.2025 wherein it is specifically directed the petitioner herein shall submit an application and the same will be considered by following the guidelines issued in G.O.Ms.No.4, Information Technology(EI) Department, dated 25.01.2022.

4.The learned counsel for the petitioner submitted that he has already submitted an application before the concerned authority. However, the concerned officials have not considered the same inspite of limitation prescribed for such consideration.

5. Under Rule 33 of the Indian Telegraphic Act, there is a provision of deemed approval. Therefore, the petitioner company is entitled for deemed approval. The petitioner has already submitted an application on 30.12.2024. Therefore, the petitioner has already obtained the deemed approval. Hence, the



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third respondent is directed to give adequate police protection to the petitioner at the time of installation of telephone tower.

6. With the above observation and direction, this writ petition is disposed of. No Costs.

04.12.2025

PJL

TO

1. The District Collector,
Kanyakumari District,
Kanyakumari.

2. The Superintendent of Police,
Kanyakumari District,
Nagercoil.

3. The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY, J

PJL

ORDER
IN
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Date : 04/12/2025