

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

MONDAY, THE 9TH DAY OF MARCH 2015/18TH PHALGUNA, 1936

WP(C).No. 7004 of 2015 (A)

PETITIONER :

**M/S. RELIANCE JIO INFOCOMM LIMITED,
(PREVIOUSLY KNOWN AS INFOTEL BROADBAND SERVICES LTD.)
HAVING ITS REGIONAL OFFICE AT CHANDRIKA TOWERS,
S.A.ROAD, VYTILLA, KOCHI - 19,
REPRESENTED BY ITS AUTHORISED SIGNATORY,
MR.VINOD GIYAL.**

BY ADV. SRI.C.P.MOHAMMED NIAS

RESPONDENTS:-

- 1. DISTRICT TELECOM COMMITTEE,
KOZHIKODE, REPRESENTED BY ITS CHAIRMAN,
THE DISTRICT COLLECTOR, KOZHIKODE - 673 001.**
- 2. STATE OF KERALA,
REPRESENTED BY SECRETARY,
INFORMATION TECHNOLOGY DEPARTMENT,
GOVERNMENT OF KERALA, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**

BY SR GOVERNMENT PLEADER SRI.K.C.VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 7004 of 2015 (A)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1. TRUE COPY OF THE AGREEMENT DATED 15.11.2007 EXECUTED BETWEEN THE PETITIONER AND THE UNION OF INDIA.
- EXHIBIT P2. TRUE COPY OF THE REGISTRATION CERTIFICATE FOR INFRASTRUCTURE PROVIDER CATEGORY-I ISSUED BY THE UNION OF INDIA IN FAVOUR OF THE PETITIONER.
- EXHIBIT P3. TRUE COPY OF THE UNIFIED LICENSE DATED 21.10.2013 ISSUED BY THE UNION OF INDIA TO THE PETITIONER.
- EXHIBIT P4. TRUE COPY OF THE BUILDING PERMIT DATED 15.10.2014 ISSUED BY VADAKARA MUNICIPALITY IN FAVOUR OF THE PETITIONER.
- EXHIBIT P5. TRUE COPY OF THE GOVERNMENT ORDER DATED 15.03.2014 ISSUED BY THE 2ND RESPONDENT.
- EXHIBIT P6. TRUE COPY OF THE GOVERNMENT ORDER DATED 02.08.2014 ISSUED BY THE 2ND RESPONDENT.
- EXHIBIT P7. TRUE COPY OF THE GOVERNMENT ORDER DATED 05.11.2014 ISSUED BY THE 2ND RESPONDENT.
- EXHIBIT P8. TRUE COPY OF THE APPLICATION DATED 23.12.2014 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.
- EXHIBIT P9. TRUE COPY OF THE JUDGMENT IN WP(C)NO.33654/2014 PASSED BY THIS HON'BLE COURT.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.7004 of 2015

Dated this the 9th day of March, 2015

JUDGMENT

The learned counsel for the petitioner submits that, the grievance expressed in the writ petition has already been projected by way of Ext.P8, which is pending consideration before the first respondent, who is the competent authority to deal with the issue. The said proceeding has already been served to the first respondent as borne by the acknowledgment dated 23.12.2014, a copy of which has produced along with the said document and it forms part of the writ petition. The prayer is to cause the same to be considered and disposed of within a reasonable time, more so, when it ought to have been considered and disposed within fifteen days as provided in Ext.P5 G.O. dated 15.03.2014.

2. Heard the learned Government Pleader as well.

3. Considering the facts and circumstances, this Court does not find it necessary to go into the merits of the case with regard

to the relief sought for, particularly in connection with putting up of Diesel Generator set and shelter in Vadakara, Kozhikode District.

4. In the said circumstances, the writ petition is disposed of, directing the first respondent to consider Ext.P8, after affording an opportunity of hearing to the petitioner and other interested parties, if any, at the earliest, at any rate, within 'two weeks' from the date of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment, along with a copy of the writ petition, before the first respondent, for further steps.

**P.R. RAMACHANDRA MENON,
JUDGE**

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