

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 24TH DAY OF MARCH 2015/3RD CHAITHRA, 1937

WP(C).No. 9345 of 2015 (P)

PETITIONER(S):

**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

RESPONDENT(S):

- 1. DISTRICT TELECOM COMMITTEE,
KOZHIKODE, REPRESENTED BY ITS CHAIRMAN,
THE DISTRICT COLLECTOR, KOZHIKODE-673001.**
- 2. STATE OF KERALA-REPRESENTED BY SECRETARY,
INFORMATION TECHNOLOGY DEPARTMENT,
GOVERNMENT OF KERALA, SECRETARIAT,
THIRUVANANTHAPURAM-695001.**

BY SENIOR GOVERNMENT PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONERS' EXHIBITS

- P1: COPY OF THE LICENSE AGREEMENT DATED 15/11/2007**
- P2: COPY OF THE LETTER DATED 23/6/11**
- P3: COPY OF THE UNFILED LICENSE DATED 21/10/13 WITHOUT ITS ANNEXURES**
- P4: COPIES OF THE PERMIT AND REFERENCES SUBMITTED**
- P5: COPY OF THE GOVERNMENT ORDER DATED 15/3/14 ISSUED BY THE R2**
- P6: COPY OF THE GOVERNMENT ORDER DATED 2/8/14 ISSUED BY THE R2**
- P7: COPY OF THE GOVERNMENT ORDER DATED 5/11/14 ISSUED BY THE R2**
- P8: COPIES OF THE APPLICATIONS SUBMITTED BY THE PETITIONER BEFORE THE R1**
- P9: COPY OF THE JUDGMENT IN WPC.7004/15 PASSED BY THIS HON'BLE COURT.**

RESPONDENTS' EXHIBIT

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

P.R. RAMACHANDRA MENON J.

~~~~~

W.P.(C) No. 9345 of 2015

~~~~~

Dated, this the 24th day of March, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers :

"(i) Issue a writ of mandamus, or any other appropriate writ, order or direction commanding the 1st respondent to consider and pass orders on Ext. P8 application submitted by the petitioner, according to the G.O., as expeditiously as possible and at any rate, within an outer limit to be fixed by this Hon'ble Court in accordance with law.

(ii) Award to the petitioner the cost of these proceedings ; and

(iii) Grant such other and further reliefs which this Hon'ble Court deems fit and proper to grant in the light of the facts and circumstances of the case and in the interests of justice."

2. The learned counsel for the petitioner submits that the grievance of the petitioner 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 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 of within fifteen days, as provided in Ext. P7 Government Order. The learned counsel for the petitioner submits that in an exactly similar matter, this Court has given a positive direction as borne by Ext. P9 verdict dated 09.03.2015

3. Heard the learned Government Pleader as well.

4. Considering the limited extent of relief sought for, this Court does not find it necessary to go into the merits of the case. The writ petition is disposed of, directing the first respondent to consider and pass appropriate orders on 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.

Sd/-

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

kmd