

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.25957 of 2015

Date: 07.09.2015

Between :

Sadanala Satyanarayana S/o. Gangaraju,
Aged 60 years, Occu: Retired Teacher,
R/o.D.No.60-10-1/1, Naicker Street,
Jagannaickapur, Kakinada, East Godavari
District.

.... Petitioner

And

The State of Andhra Pradesh, rep.by its
Principal Secretary, Municipal Administration
and Urban Development, A.P.Secretariat,
Hyderabad and two others.

.... Respondents

This Court made the following :

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ORDER :

Petitioner is a resident of Jagannaikpur, J.Ramaraopeta, Kakinada within the Ward Nos.20 and 21 of Kakinada Municipal Corporation. In the house bearing Door No.61-2-77 situated on the eastern side of the house of the petitioner, respondents are attempting to erect a Telecommunication Infrastructure Tower.

2. Having come to know that the respondents are taking steps to erect Telecommunication Infrastructure Tower, petitioner has filed complaint before the Municipal Corporation. In the complaint petitioner alleges that there was no permission for the building where the Telecommunication Infrastructure Tower is proposed to be erected and even if it is erected, it would be violating the condition No.E(iii) of G.O.Ms.No.146 Municipal Administration & Urban Development (M2) Department, dated 19.06.2015.

3. Having regard to the claim of the petitioner that a representation submitted by him is pending consideration by the respondent municipal corporation, without expressing any opinion on merits, this writ petition is disposed of directing the respondent municipal corporation to consider the objection of the petitioner and if necessary by conducting survey of the premises with reference to the violation of condition No.E (iii) of the G.O.Ms.No.146, dated 19.06.2015 and pass appropriate orders as warranted by law within a period of four weeks, at any rate before granting permission for erection of Telecommunication Infrastructure Tower in favour of third respondent. If the respondent municipal corporation conducting physical verification on the claim of the petitioner, it shall cause notice on the third respondent while conducting such physical verification. There shall be no order as to costs.

Miscellaneous petitions if any pending in the writ petition shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 07.09.2015
Kkm

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