

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

**THURSDAY, THE TWENTIETH DAY OF AUGUST TWO
THOUSAND AND FIFTEEN**

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Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

–
WRIT PETITION No.26330 of 2015

Between:

P. Ramdas Chary,
S/o.P. Narahari, Age:56 years,
Occ: Gold Smith,
R/o.10-4-A/468, Addagutta,
Thukaram Gate, Secunderabad,
Nehrunagar, Hyderabad – 500 026 & 2 others

.. Petitioners

AND

The State of Telangana,
Rep. by its Principal Secretary
Municipal Administration, Secretariat,
Hyderabad & 2 others

.. Respondents

The Court made the following:

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ORDER:

The petitioners claim to be the residents of Addagutta, Thukaram Gate, Secunderabad. The petitioners allege that without following the norms prescribed in G.O.Ms.No.96, Municipal Administration & Urban Development (M1) Department, dated 05.08.2015, Telecommunication Infrastructure Tower is permitted to be established in the neighbouring house, which would cause serious hardship and danger to the life of the neighbours. The Telecommunication Infrastructure Tower is erected on the edge of the building in the thickly populated area and low tension lines are passing through and if any unforeseen event of collapse of the cell tower occurs, the persons living in the neighbouring building would be adversely affected.

2. However, as seen from the representation submitted on 17.07.2015, the grievance agitated was on the issue of radiation emanating from the tower. Insofar as the issue of radiation is concerned, the competent authority to deal with the matter is the Telecom Enforcement and Resources Monitoring (TERM) Cell in the Department of Telecommunications, Government of India. Therefore, if the petitioners are aggrieved of possible radiation emanating from the Telecommunication Infrastructure Tower, they should approach the TERM Cell of the Department of Telecommunication. With reference to the other aspects now agitated, it is open to the petitioners to make a detailed representation to the Commissioner, Greater Hyderabad Municipal

Corporation, Hyderabad (2nd respondent) and on receipt of such representation, the Commissioner shall consider objectively with reference to the provisions of G.O.Ms.No.96, Municipal Administration & Urban Development (M1) Department, dated 05.08.2015, and pass appropriate orders, as warranted by law, and communicate the decision to the petitioners. Such decision should be taken and communicated within a period of four (4) weeks from the date of submission of representation.

3. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 20th August, 2015

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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