

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.4533 of 2015

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Between:

1. Smt. K. Suneetha and others

PETITIONERS

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary,
Panchayat Raj & Rural Development Department, Secretariat
Buildings, Hyderabad and others.

RESPONDENTS

ORDER:

This writ petition is filed to declare the action of the 1st respondent in not passing the orders in revision or in the stay petition filed against the order dated 29.11.2014 in Appeal No.8184/D1/2014; and to declare the order dated 29.11.2014 passed in Appeal No.8184/D1/2014 by the 2nd respondent as illegal and arbitrary.

The case of the petitioners is that they are all residents of Saradanagar Colony of Desaipeta Village, Vetapalem Mandal, Prakasam District. It seems the 4th respondent-Reliance Jio Infocomm Ltd., filed a representation dated 12.09.2013 before the 3rd respondent-Panchayat Secretary for erection of telecommunication towers and its equipment in Sy.No.381 of Desaipeta Village. On coming to know about the same, the petitioners submitted a representation to the 3rd respondent requesting him not to grant any permission for erection of cell tower within the village as the same would cause health hazards. Thereafter, the Sarpanch of the Gram Panchayat conducted general body meeting on 15.10.2013 and resolved that no permission shall be granted for erection of cell tower within the Gram Panchayat limits. Accordingly the 3rd respondent issued orders dated 4.02.2014 refusing to grant permission, against which the 4th respondent filed appeal before the 2nd respondent, who in turn passed orders on 29.11.2014 permitting the 4th respondent to construct the cell tower. Aggrieved by the same, the petitioners preferred a revision petition before the 1st respondent on 5.02.2015 along with a petition for stay, which is still pending for consideration. The grievance of the petitioner is that if the 4th respondent is allowed to erect the cell tower they will be put to irreparable loss and hardship. Hence the present writ petition.

Heard learned counsel for the petitioner, learned Government Pleader for Panchayat Raj for the 1st respondent and Sri Ravi Cheemalapati, learned Standing Counsel for respondents 2 and 3.

Having regard to the fact that the revision along with stay petition filed by the petitioners against the order dated 29.11.2014 passed by the 2nd respondent, is pending before the 1st respondent, I deem it appropriate to direct the 1st respondent to dispose of the revision petition filed by the petitioners in accordance with law, as early as possible, preferably within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. No costs. As a sequel, miscellaneous petitions, if any, shall stand closed.

A. RAJASHEKER REDDY, J.

10th March, 2015
Js.