

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

**MONDAY, THE TWENTY EIGHT DAY OF SEPTEMBER
TWO THOUSAND AND FIFTEEN**

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Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.31244 of 2015

Between:

M/s. Shirdi Sai Cable Networks,
Rep. by its Managing Partner
S. Koteswara Rao, S/o. Chinna Swamy,
O/o. Anusha Reddy Enclave,
1st Floor, R.P. Road,
Sajjapuram Tanuku,
W.G. District, A.P.

.. Petitioner

AND

The Tanuku Municipality,
Tanuku, W.G. District,
Rep. by its Commissioner & 2 others

.. Respondents

The Court made the following:

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HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.31244 of 2015

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ORDER:

The petitioner is a cable network concern intend to provide streaming of television programmes through the cable network in Tanuku Town. The petitioner is having an understanding from M/s.Noida Software Technology Software Limited, New Delhi, to establish, install, operate and maintain Head End in the Sky (HITS) Services. M/s.Noida Software Technology Software Limited has obtained permission from the Ministry of Information and Broad Casting, Government of India, to set up HITS. Consequent to the understanding reached between M/s.Noida Software Technology Software Limited and the petitioner, the petitioner applied to the 1st respondent Municipality to grant permission to lay the cables and in anticipation of obtaining such permission, the petitioner has started undertaking the cabling work. However, so far, no permission is granted and on the contrary, the 1st respondent Municipality is resorting to remove the cabling work already undertaken by the petitioner and, hence, this writ petition.

2. *Prima facie*, without obtaining the permission, the petitioner ought not to have undertaken the cabling work. More over, a request for grant of permission was made only on 07.09.2015. Thus, the action of the 1st respondent

Municipality in asking the petitioner to remove the cables cannot be found fault with. However, since an application is already submitted by the petitioner on 07.09.2015, the same shall be considered, as expeditiously as possible, preferably within a period of two (2) weeks from the date of receipt of copy of this order and till the permission application is considered and appropriate orders are passed, the 1st respondent Municipality shall not take any coercive steps against the petitioner. Similarly, the petitioner shall not undertake any further laying of cable and operationalisation of the cables already laid till appropriate permissions are obtained.

3. With the above observations, the Writ Petition is disposed of, at the admission stage, without expressing any opinion on merits. There shall be no order as to costs. Miscellaneous Petitions pending, if any, in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 28th September, 2015

Note: Issue C.C. in three (3) days.

(B/o.)
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HON'BLE SRI JUSTICE P.NAVEEN RAO

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