

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.36157 of 2014

DATED : 07.09.2015

Between :

N. Shyamala Devi W/o.Late Satyanarayana,
Aged 62 yrs, Occu : Household,
R/o.D.No.1-142/4A, Palakond Road,
Srikakulam Town and District & others.

.. Petitioners

and

The State of Andhra Pradesh,
Rep., by its Principal Secretary to Government,
Municipal Administration and Urban Development,
Secretariat Building, Hyderabad & others.

.. Respondents

This court made the following :

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ORDER :

The petitioners are residing behind RTC complex in Srikakulam. They are aggrieved by installation of Telecommunication Infrastructure Tower (TIT) in the residence of 6th respondent. The petitioners have submitted a complaint to the District Collector, Srikakulam (2nd respondent) that installation of telecommunication infrastructure tower, would cause radiation and therefore should not be installed. Alleging that no action is taken on their complaint, this writ petition is filed. In addition to the above contention it is also alleged that no permission was obtained and that there is no structural stability to the building on which TIT was proposed for installation.

2. Learned counsel appearing for the 4th respondent submits that the building has sufficient strength and appropriate reports were obtained and TIT is proposed for erection only after obtaining due permissions.

3. The issuance of permission to install TIT in urban areas is governed by G.O.Ms.No.146 dated 19.06.2015, and several earlier restrictions are now removed. With reference to the grievance of radiation impact of TIT, Para No.5 of the said G.O., provides for filing of a complaint before the Telecom Enforcement Resources and Maintenance Cell (TERM Cell) Department of Telecommunications, Government of India, and it is for the said Department to look into such grievance.

4. Having regard to the same, the writ petition is disposed of granting liberty to the petitioners to file appropriate complaint before the Telecom Enforcement Resources and Maintenance Cell (TERM Cell), Department of Telecommunications, Government of India, on the allegation of impact of radiation from the TIT. There shall be no order as to costs.

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

7th September, 2015.
Rds

P.NAVEEN RAO,J