

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.10720 OF 2015

ORDER:

This petition is filed for a writ of *Mandamus* declaring the action of the 1st respondent in interfering with the erection of ground based tower by the petitioner at Plot No.320 in Sy.No.320, Tattiannaram Village, Hayathnagar Mandal, Ranga reddy District, though there is permission vide proceedings No.G1/699/CT/2014-15, dated 05.02.2015, issued by the 1st respondent, without issuing any notice to the petitioner at the behest of the respondent Nos.2 to 4, as arbitrary and illegal.

The case of the petitioner-company is that it has identified the plot of land bearing Plot No.320, Sy.No.75, situated at Tattiannaram Village, Hayathnagar Mandal, Ranga Reddy District, for erection of a ground based tower for the purpose of providing continuous network to its service providers. After entering into lease deed with the owner of the building, the petitioner has also obtained permission from the 1st respondent vide proceedings dated 05.02.2015, for erection of the cell tower in the said place. While so, on 10.04.2015, the 1st respondent without issuing any prior notice, came to the plot in question and asked the petitioner to stop erection of ground based tower. It is also stated that since the respondents 2 to 4 raised objections before the 1st respondent against the erection of tower which emanate radiation, the 1st respondent interfered with the erection activity of the petitioner. Aggrieved by the same, the petitioner filed the present writ petition.

Heard both sides.

As long as the permission dated 05.02.2015 issued by the 1st respondent to the petitioner for erection of the ground based tower is subsisting, the 1st respondent cannot interfere with the erection of the ground based tower in the subject plot. However, it is open for the 1st respondent to take action if any violations are committed by the petitioner.

Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel to the dismissal of the writ petition, interim orders, if any passed, shall stand dissolved.

A.RAJASHEKER REDDY, J

16.04.2015

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