

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

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

Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.30545 of 2015

Between:

Jakkani Srinivaas, S/o. Venkatesam,
Hindu, Aged about 50 years, OcC: Business,
R/o.7-6-87, Subash Nagar,
Sircilla Town, Karimnagar District.

.. Petitioner

AND

The State of Telangana,
Rep. by its Principal Secretary,
Department of Panchayat Raj &
Rural Development, Secretariat Buildings,
Hyderabad & 3 others

.. Respondents

The Court made the following:

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HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.30545 of 2015

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ORDER:

The petitioner instituted this writ petition alleging that the 4th respondent is trying to establish Telecommunication Infrastructure Tower (for short, 'TIT') in the petitioner's land and the same is illegal. According to the petitioner, the petitioner owns land to an extent of Ac. 1.11 guntas in Survey No.541/B, situated in Baddenapalli Gram Panchayat, Sircilla Mandal, Karimnagar District, and a decree was granted in favour of the petitioner in O.S.No.15 of 2011, on the file of Senior Civil Judge, Sircilla. The petitioner is also granted possession by conducting panchanama on 18.02.2012, and that being so, in the guise of obtaining permission from the Gram Panchayat, the 4th respondent is trying to erect TIT in the land belonging to the petitioner in Survey No.541/B.

2. Learned Standing Counsel appearing for the 4th respondent produced a letter

written by the 4th respondent to the Panchayat Secretary, Baddenapalle Gram Panchayat, Sircilla Mandal, Karimnagar District, seeking permission for erection of TIT in Survey No.555/3 situated at Baddenapalli Village and permission is accordingly granted. Thus, a valid permission exists in favour of the 4th respondent to erect the TIT.

3. As seen from the proceedings granting permission to the petitioner along with the letter for applying for such permission, the survey number in which the TIT is sought to be established is different from the survey number in which the petitioner claims to own land. If the petitioner has a serious grievance with reference to the encroachment into the land of the petitioner by the owner of the land in Survey No.555/3 and in the guise of establishing the TIT in pursuant to the permission granted by the Gram Panchayat, if the 4th respondent is encroaching into the land of the petitioner with the aid of the owner of the property, the petitioner has to work out his remedies as available in civil. I, therefore, do not see any illegality in granting permission in favour of the 4th respondent and 4th respondent undertaking establishment of TIT. If there is any dispute regarding the boundaries, the petitioner has to work out his remedies.

4. Accordingly, 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: 21st September, 2015

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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