

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.36576 of 2015

Date: 08.12.2016

Between:

M/s ATC Telecom Tower Corporation Pvt.Ltd.,
Flat No.307, 3rd Floor, South Block,
Archana Archade, St.Johns Road,
Secunderabad, rep.by its Circle Head.

.....Petitioner

and

The Greater Hyderabad Municipal Corporation,
Rep.by its Commissioner, Tank Bund Road,
Hyderabad and others.

.....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.36576 of 2015

ORDER:

Petitioner was granted permission to establish Roof Top Tower (RTT) for transmission of signals in the premises bearing house No.8-3-676/14/1/A, Sy.No.106, Engineers' Colony, Yellareddyguda, Khairatabad, Hyderabad. On 02/04.08.2016 notice was issued calling upon the petitioner to submit explanation based on the representation of the local residents that erecting of such cell tower on a small house where the houses are very closely to it without having any distance between two houses may cause some physical harm to the local residents. Petitioner submitted explanation on 17.08.2016. Alleging that though detailed explanation was filed, so far no orders are passed, but coercive action is being taken, this writ petition is filed.

2. Learned counsel for petitioner as well as learned standing counsel submit that so far no orders are passed on the show cause notice after submission of explanation by the petitioner. Since no orders are passed so far, this Court is inclined to dispose of the writ petition, without expressing any opinion on merits, directing the respondent-Municipal Corporation to pass appropriate orders on the explanation submitted by the petitioner in pursuant to the show cause notice dated 02/04.08.2016 within a period of four weeks from the date of receipt of copy of this order and till the explanation is considered and orders are passed, no coercive action should be taken against the petitioner.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

Date: 08.12.2016
kkm

HON'BLE SRI JUSTICE P.NAVEEN RAO



WRIT PETITION No.36576 of 2016

Date: 08.12.2016

kkm