

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.41831 OF 2016

DATED : 08.12.2016

Between :

M/s.ATC Telecom Tower Corporation Private Limited,
4th Floor, Gowra Plaza”,
Door No.1-8-304-307/381/444,
Sardar Patel Road, Begumpet,
Secunderabad 5000003,
Rep., by its Circle Head.

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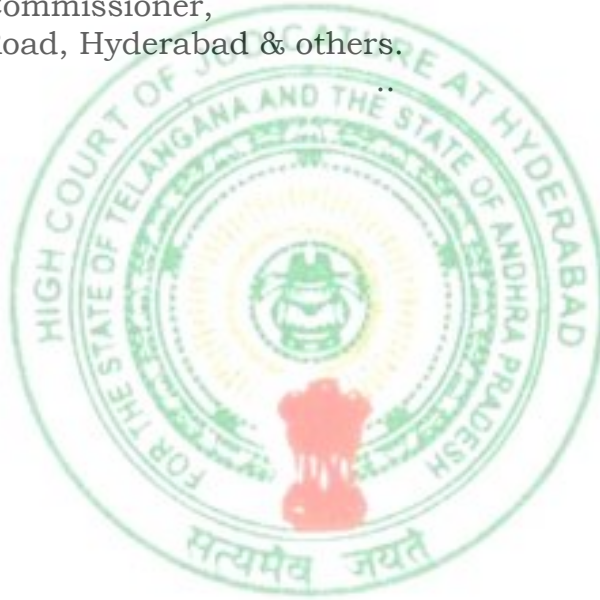
Petitioner

And

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

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Respondents



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.41831 OF 2016****ORDER :**

Heard the counsel for petitioner; and Sri P. Kesava Rao, counsel for respondents.

2. The petitioner has assailed Notice bearing No.G1/E-91350/TPS/CT/HO/2016/1393 dated 03.10.2016 issued by 1st respondent rejecting the permission granted to petitioner for erecting a telecommunication infrastructure tower in the subject premises on 04.07.2016, alleging that certain complaints were received from the Residents of Venkanna Hills Residential Association, that the radiation emitted from the cell tower would be effecting the pregnant ladies, children and heart patients.

3. It is not in dispute that petitioner had submitted a detailed explanation on 13.10.2016 to the show-cause notice dt.03.10.2016, but so far no orders are passed.

4. Since the petitioner had submitted an explanation dt.13.10.2016 to the show-cause notice dt.03.10.2016 issued by respondents, the Writ Petition is allowed, the impugned order is set aside and the 1st respondent is directed to pass a fresh reasoned order after considering petitioner's explanation and keeping in mind the parameters for exercising power under Section 450 of the Act.

5. Till such a fresh order is passed, the respondents shall not interfere with the tower erected by petitioner pursuant to the permission granted on 04.07.2016 by respondents.

6. Accordingly, the Writ Petition is allowed with the above directions. There shall be no order as to costs.

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

8th December, 2016
Rds

P.NAVEEN RAO,J

