

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.13794 OF 2016

ORDER

Heard Sri K. Chidambaram, learned counsel for the petitioner and Sri Nimmagadda Venkateswarlu, learned Standing Counsel for the Palkol Municipality.

The prayer of the petitioner in this case is as under:

"To issue a writ of mandamus or any other appropriate writ, order or direction declaring the action of the respondent in rejecting the permission for laying cables and erecting posts for cable networking business in Palkol on flimsy and irrelevant grounds vide endorsement in Roc.No.645/2015 G1 dated 13.04.2016 as illegal, arbitrary and contrary to law and direct the respondent municipality to grant permission for laying cables and erecting posts in Palkol Municipality Area for cable networking business and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

Perusal of the impugned endorsement dated 13.04.2016 reflects that the municipal authorities rejected the application of the petitioner for permission to lay cables on the ground that full details were not forthcoming therefrom as to where exactly the cables would be laid.

Sri Nimmagadda Venkateswarlu, learned Standing Counsel, would submit that an action plan has to be furnished by the petitioner indicating the exact location of the cables proposed to be laid so that the municipal authorities would be aware of the same while imposing suitable conditions in terms of Section 4B of the Cable Television Networks (Regulation) Amendment Act, 2011.

In that view of the matter, the Writ Petition is disposed of permitting the petitioner to make an application afresh giving full details as to how and where they proposes to lay cables. In the event such an application is made, the municipal authorities shall consider the same and pass appropriate orders thereon in accordance with law. This exercise shall be completed expeditiously and in any event not later than four weeks

from the date of receipt of a copy of this order.

Pending miscellaneous petitions shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

Date: 22.04.2016

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