

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.4156 OF 2013

ORDER:

The petitioner prays for the following relief:

“...this Hon'ble Court may be pleased to issue an appropriate Writ or order or direction particularly one in the nature of Writ of Mandamus declaring the action of the respondents particularly Respondent No.1 & 2 in not considering the representations submitted by the petitioner company and not taking action for ensuring providing protection for functioning of the tower at Uppusaka Village, Burgampahad Mandal, Khammam District by restoring the power supply, as arbitrary, illegal and consequently direct the respondents to take necessary action in accordance with the law and pass”

The grievance of the petitioner is that the respondents are not providing protection for enabling the petitioner to operate the towers erected by them.

The interference if it is at the instance of residents of the locality, the rights between the petitioner and the residents of the locality are to be tried and decided by the competent Civil Court. The prayer for police protection can be considered after rights of petitioner are established and protection granted by the civil Court.

Having regard to the facts and circumstances of the case, the writ petition is dismissed by granting liberty to the petitioner to work out the remedies by filing a comprehensive suit. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

S.V.BHATT, J

21st November, 2017

Lrkm