

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.13724 OF 2009

ORDER:

This writ petition is filed seeking the following relief –

“....to issue an appropriate Writ or order or direction particularly one in the nature of Writ of Mandamus declaring the action of the respondent in issuing the impugned Notice in Roc.No.3023/2008/G1, dated .05.09, which was served only on 08.07.2009 as illegal, arbitrary and without jurisdiction and declare the same is inoperative and illegal and to pass such other order or orders as are deemed fit and proper in the circumstances of the case.”

At the time of hearing, it is submitted by the learned counsel for the petitioner and the learned Standing Counsel for the Rajahmundry Municipal Corporation that the issue raised in this Writ Petition is squarely covered by the order of this Court in W.P.No.38905 of 2012 and batch, dated 20.12.2016.

The operative portion of the order in the above Writ Petition reads as under:

“Learned counsel for the petitioners fairly concedes that they will not claim refund of the amount already deposited with the local authorities.

In the circumstances, all the writ petitions are disposed of directing the respondents to regulate the activity of the Cell Towers erected by the petitioner-Companies in accordance with the government orders issued from time to time, but shall not demand any amount towards permit fee as no Government order exists in respect of those Cell Towers already erected as on 1.8.2013 prior to issuance of G.O.Ms.No.380, dated 1.8.2013. No costs.”

Recording the submissions made by both the learned counsel, the Writ Petition is disposed of in terms of the orders passed in W.P.No.38905 of 2012 and batch, dated 20.12.2016. Office to tag a

copy of the order passed in W.P.No.22056 of 2012 to this Writ Petition.

As a sequel, pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

CHALLA KODANDA RAM, J

Dated:24.09.2018.

Ssv

