

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.41814 OF 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking verbatim the following relief:

“to issue Writ, Order or Direction especially one in the Nature of Writ of Mandamus declaring the action of the respondents 2 & 3 in not taking any action for removal of cell tower erected in the 6th and 7th respondents premises bearing No.20-51/5/A, Sharadha Nagar, Dilsukhnagar, Hyderabad - 500 060 inspite of petitioners representations dt.07-10-2018 and 15-10-2018 is illegal and arbitrary and violative of Article 21 of the Constitution of India and consequently direct the respondents 2 & 3 to remove the cell tower erected in premises bearing No.20-51/5/A, Sharadha Nagar, Dilsukhnagar, Hyderabad - 500 060.”

2. I have heard the submissions of the learned counsel for the petitioners; of learned Government Pleader for Municipal Administration and Urban Development (TG), appearing for 1st respondent; of Sri Sampath Prabhakar Reddy, learned Standing Counsel for the Greater Hyderabad Municipal Corporation, appearing for respondents 2 and 3; and of the learned Government Pleader for Revenue (TG), appearing for the 4th respondent. I have perused the material record.

3. At the hearing, learned counsel for the petitioners submits that the cell tower pillar erected on the subject houses in Sharada Nagar has become defunct and that the respondents 6 and 7, using their influence, are highhandedly trying to reinstall the defunct cell tower without taking any appropriate permissions from

the competent authorities and also without the consent of the residents of the locality and that therefore, representations, dated 07.10.2018 and 15.10.2018, were given to the authorities concerned for stopping the erection/re-erection of the cell tower and that for non-consideration of the said representations, the present writ petition is filed.

4. Learned Standing Counsel for the Greater Hyderabad Municipal Corporation appearing for respondents 2 and 3 would submit that the said respondents would consider and dispose of the representations of the petitioners within three weeks and take an appropriate decision in the matter.

5. Recording the submissions, the Writ Petition is disposed of directing respondents 2 and 3 to consider and dispose of, in strict accordance with the procedure established by law, the representations, dated 07.10.2018 and 15.10.2018, of the petitioners, within three (3) weeks from the date of receipt of a copy of this order and communicate the decision taken thereof to the petitioners within a week thereafter.

There shall be no order as to costs.

Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE M.SEETHARAMA MURTI

Date: 20.11.2018
AMD

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI



WRIT PETITION No.41814 OF 2018

DATE: 20.11.2018

AMD