

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.43565 OF 2018

DATED :03.12.2018

Between :

Smt Chollangi Satya Sridevi W/o.Satya Prasad,
Aged 35 yrs, Occu : Panchayat Member,
R/o.D.No.5-166, K.Pedapudi Gram Panchayat,
Ambajipet Mandal, East Godavari District,
A.P. & others.

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Petitioners

And

The State of Andhra Pradesh,
Rep., by Principal Secretary,
Panchayat Raj and Rural Development Department,
A.P. Secretariat, Amaravati,
Velagapudi, Guntur District & others.

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Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioners, learned Government Pleader for Panchayat Raj for respondents 1 and 2 and Sri K.K.Durga Prasad, learned Standing counsel for respondents 3 and 4.

2. This writ petition is filed by the villagers of Pedapudi Gram Panchayat, Ambajipet Mandal, East Godavari District, aggrieved by granting permission to erect the Cellular Transmission Tower in the land in R.S.No.83/3, K. Pedapudi Village and Gram Panchayat, Ambajipet Mandal, East Godavari District, by the respondents 5 and 6.

3. By placing reliance on the Rules notified vide G.O.Ms.No.334 dated 09.10.2012, learned counsel for the petitioners would submit that no objection is necessary from the neighbours before erecting such cellular tower. The villagers have opposed for granting permission to construct a cellular tower. He would submit that the cellular tower would create radiation problem to the villagers and the same should not be constructed.

4. Learned Standing counsel would submit that subsequently, the Clause of obtaining no objection from the neighbours is dispensed with, vide G.O.Ms.No.146 dated 19.06.2015.

5. Having regard to the said statement, learned counsel for the petitioners, would submit that petitioners may be granted liberty to make application to the TERM Cell established in the Department of Telecommunications, Government of India, to redress their grievance against emanating of radiation from the cellular towers.

6. Having regard to the above submission, the Writ Petition is disposed of granting liberty to petitioners to make an application to the TERM Cell of [DOT] alleging radiation. If such application is made, the TERM Cell shall consider the same objectively and take appropriate decision, as warranted by law. Pending miscellaneous petitions shall stand closed.

3rd December, 2018

Note :

Issue c.c. in one (1) week.

B/o.
Rds

P.NAVEEN RAO,J

