

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.43371 OF 2018

Date:30.11.2018

Between:

Chillakuri Nagarjuna, S/o. Late Brahma
Reddy, aged about 45 years, R/o. Lingareddy
Palli Village, Chinaalavalapadu Panchayat,
Kangiri Mandal, Prakasam District and another .. Petitioners

And

The State of Andhra Pradesh, rep., by its
Principal Secretary, Panchayat Raj and
Rural Development Department,
Secretariat, Velagapudi, Guntur
District and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.43371 OF 2018****ORDER:**

Heard.

2. Petitioners claim to be residents of Chinaalavalapadu Gram Panchayat. Their grievance is against establishment of a cellular tower by respondent No.3 in the village. Opposing granting of permission by the Gram Panchayat, petitioners and others seem to have submitted representation requesting not to construct the cellular tower within the village and to move the same away from the village. The primary grievance of petitioners is, construction of cellular tower in the midst of the village would cause health hazard and the same is not valid in law.

3. The Government notified guidelines for establishment of cellular towers vide G.O.Ms.No.146, Municipal Administration & Urban Development (M2) Department, dated 19.06.2015. Clause 5 of the said G.O. provides mechanism for redressal by constituting TERM cell in the Department of Tele Communications and any citizen can approach the concerned TERM cell with regard to grievance on any issue relating to radiation.

4. *Prima facie*, this Court is of the opinion that granting permission by the Gram Panchayat for establishment of cellular tower is not vitiated. If the petitioners have any grievance on radiation, they have to avail the remedy provided in Clause 5 of the said G.O.

5. Leaving it open to the petitioners to avail the remedy provided under Clause 5 of G.O.Ms.No.149, dated 19.06.2015, the Writ Petition is dismissed. Pending Miscellaneous Petitions, if any, shall stand closed.

P. NAVEEN RAO, J

Date:30.11.2018

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