

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 13175 of 2019

Date : 2.7.2019

Between:

Utham Padmavathi Nagar Development Committee
Kodad Suryapet District rep By its President Mr Y Tirupathi
Rao S/o Venkat Rao 52 years R/o Utham Padmavathi Nagar
Kodad Suryapet District and another

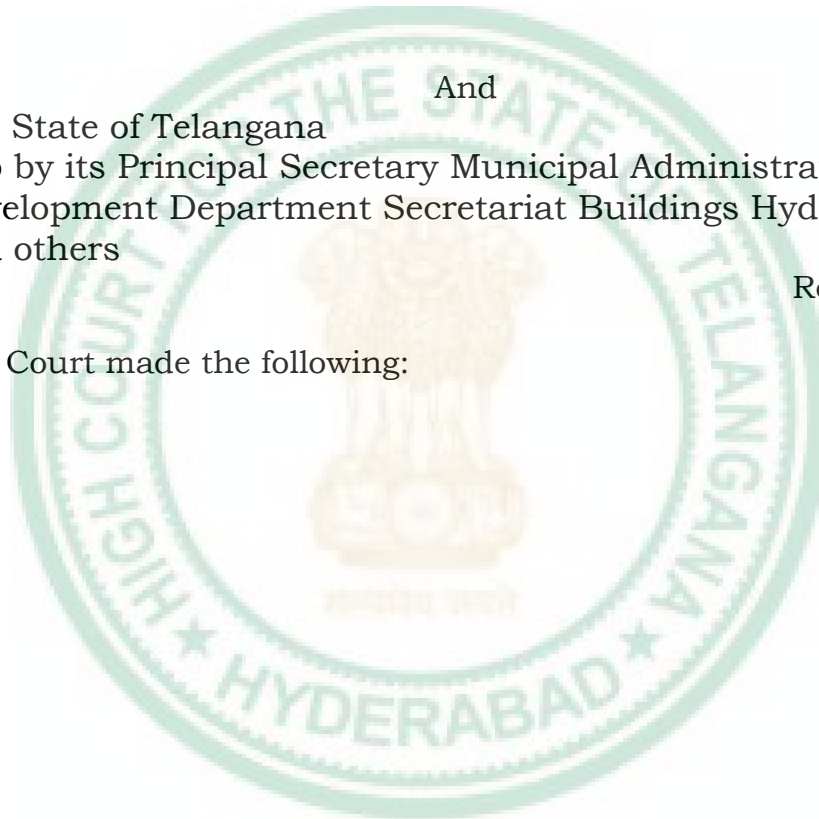
Petitioner

And

The State of Telangana
Rep by its Principal Secretary Municipal Administration and
Development Department Secretariat Buildings Hyderabad
and others

Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioners, learned Government Pleader for Municipal Administration and learned standing counsel for second respondent.

2. First petitioner is President of Utham Padmavathi Nagar Development Committee, which was formed by the residents of the area with common objective of protecting their interests. This writ petition is filed aggrieved by erection of cellular tower by third respondent in their colony adjacent to municipal park. The first petitioner committee alleges that installation of cellular tower in or around municipal park would cause hardship to the children and other people who use the park as it would cause radiation. In other words, grievance of the petitioners is against installation of cellular tower which is likely to cause radiation.

3. Granting of permission to erect cellular tower perse is not prohibited. G.O.Ms. No. 96 dated 5.8.2015 has laid down guidelines for consideration of request for establishment of cellular towers.

4. Having regard to the frequent complaints of radiation, vide above Government order, mechanism was created for redressal in the form of Telecom Enforcement Resource and Monitoring (TERM) cell in the Department of Telecommunications, which is competent body to look into the issue whether a particular cellular tower is emanating radiation frequency level higher than the permissible level, in such event to take appropriate remedial steps to reduce the frequency level or to close the cellular tower, which would only possible after commencement of cellular

tower. Therefore, at this initial stage of installation of cellular tower, no interference is warranted. Accordingly, the writ petition is dismissed, leaving it open to petitioners to make appropriate complaint to TERM cell ventilating their grievance. No costs. Miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

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