

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 20973 OF 2019

O R D E R:

This Writ Petition is filed seeking a *mandamus* to declare the action of Respondents 3 and 4 – Zonal Commissioner and Assistant City Planner, Greater Hyderabad Municipal Corporation in interfering with erection of telecommunication infrastructure tower on the terrace of building bearing H.No. 8-4-544M/3/1, New Sukthan Nagar, Erragadda, Hyderabad as per the permission granted by the 2nd respondent Corporation *vide* proceedings, dated 03/06/06/2019 without issuing any notice to the petitioner, as illegal and arbitrary.

Heard learned counsel for the petitioner as well as learned Standing Counsel for the Corporation *Sri L. Venkateswara Rao*.

It is not in dispute that the petitioner was granted permission for erection of cell tower on 06.06.2019. As long as permission is neither suspended nor cancelled, the respondent Corporation cannot interfere with the establishment of cell tower provided the petitioner sticks to the norms prescribed therefor.

In those circumstances, making it clear that no interference shall be made with respect to erection of cell tower by the petitioner in terms of the permission, the Writ Petition is disposed of. However, disposal of this Writ Petition shall not disentitle the respondent authorities to take action in accordance with law if there is any violation by the petitioner or any other valid reason, by following due process of law.

The miscellaneous Applications, if any shall stand closed.

CHALLA KODANDA RAM, J

24th September 2019

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