

THE HON'BLE SRI JUSTICE T. VINOD KUMAR

Writ Petition No.27939 of 2019

ORDER:

The present writ petition is filed under Article 226 of the Constitution of India for issuance of a *Writ of Mandamus* to declare the action of the 2nd respondent in not considering the representation of the petitioner-company, dated 15.11.2019 and not taking any action for providing protection for erection of Ground Based Tower in the open land covered by Survey No.648/F of Kadipikonda Revenue Village, Gandhinagar, Kazipet Mandal, Warangal District, as being illegal and arbitrary.

Heard Sri Etooru Poornachander Rao, learned counsel for the petitioner and the learned Assistant Government Pleader for Home appearing for the respondents 1 & 2 and Ms. Pingali Lakshmi, learned Standing Counsel for 3rd respondent-Greater Warangal Municipal Corporation (GWMC).

The learned counsel for the petitioner submits that the issue in the present writ petition is squarely covered by the orders passed by this Court in Writ Petition No.14941 of 2016, dated 28.04.2016 and similar other writ petitions.

The learned Assistant Government Pleader for Home does not dispute the same.

The learned Standing Counsel for GWMC submits that the authorities after verifying the situation on ground as required under G.O.Ms.No.96, Municipal Administration and Urban Development (M1) Department, dated 05.08.2015 have accorded permission.

Inasmuch as this Court has already decided the matter in Writ Petition No.14941 of 2016 and similar other writ petitions, I see no reason to take a different view, particularly in view of the submission of the learned Standing Counsel that the authorities have accorded such permission only after due physical verification.

The writ petition is accordingly disposed of directing the 2nd respondent-Station House Officer, Madikonda Police Station, to consider the representation of the petitioner-company, dated 15.11.2019 and take action in the matter in accordance with the procedure laid down by law. This exercise shall be completed as expeditiously, and in any event, not later than three weeks from the date of receipt of a copy of this order. However, there shall be no order as to costs.

As a sequel thereto, Miscellaneous Applications, if any, pending in this Writ Petition shall stand closed.

T. VINOD KUMAR, J

Date: 20.01.2020
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