HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY ,THE TWENTY SIXTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 17463 OF 2020

Between:

1. Surigala Kalamma , W/o. Dasharatha, Aged 38 years, Occ. Household, R/o. H.No.2-132, Angadi Bazar, Old Bus Stand, Mothkur Mandal, Yadadribhuvanagiri District.
2. Koyyalakari Narender, S/o. Ramulu, Aged 47 years, Occ. Business, R/o. H.No.7-163, Angadi Bazar, Old Bus Stand, Mothkur Mandal, Yadadribhuvanagiri District.
3. Renukuntla Kotaiah, S/o. Venkatnarayna, Aged 48 years, Occ.Business, R/o. H.No.6-93, Angadi Bazar, Old Bus Stand, Mothkur Mandal, Yadadribhuvanagiri District.
4. Kattekola Mahesh, S/o. Narsaiah, Aged 31 years, Occ. Business, R/o. H.No.3-68, Angadi Bazar, Old Bus Stand, Mothkur Mandal, Yadadribhuvanagiri District.
5. Saini Shyam, S/o. Narayana, Aged 67 years, Occ. Business, R/o.7-165, Angadi Bazar, Old Bus Stand, Mothkur Mandal, Yadadribhuvanagiri District.
6. Bedarakota Vijay, S/o. Vittal, Aged 40 years, Occ. Business, R/o. H.No.7-164, Angadi Bazar, Old Bus Stand, Mothkur Mandal, Yadadribhuvanagiri District.
7. Avishetti Somaiah, S/o. Fakeer, Aged 48 years, Occ. Agrl., R/o.H.No.3-75, Angadi Bazar, Old Bus Stand, Mothkur Mandal, Yadadribhuvanagiri District.
8. Mothkur Jagan, S/o. Brahmachary, Aged 31 years, Occ. Business, R/o. H.No.6-67, Angadi Bazar, Old Bus Stand, Mothkur Mandal, Yadadribhuvanagiri District. Koyyalakari Venkanna, W/o. Samandar
9. Koyyalakari Naveen, S/o. Samandar, Agd 41 years, Occ. Business, R/o. H.No.2-195/2, Old Bus Stand, Mothkur Mandal, Yadadribhuvanagiri District.
10. Gandham Srinivas Rao, S/o. Sadanandam, Aged 41 years, Occ. Employee, R/o. H.No.2-186, Old Bus Stand, Mothkur Mandal, Yadadribhuvanagiri District.

...PETITIONERS

AND

1. The State of Telangana , Rep. by its Secretary, MA and UD Department, Secretariat, Hyderabad.
2. The Mothkur Municipality, Rep. by its Commissioner, Mothkur Mandal, Yadadribhongir District.
3. The Commissioner, Mothkur Mandal, Yadadadribhongir District.
4. The Station House Officer, Mothkur PS, Mothkur, Yadadribhongir District.
5. M/s. Reliance Jio Infocomm Limited, Rep. by its Authorized officer. Registered office at 101, Saffron, Nr. Centre Point, Panchwati 5 Rasta, Ambawadi, Ahmedabad-380 006.
6. M/s. Reliance Jio Infocomm Limited, Rep. by its Authorized officer Local Officer at 401 Lake Shore Towers, Rajbhavan Road, Somajiguda, Hyderabad-500 082.

7. Murarishetti Sreedhar, S/o. Venkataiah, Aged 33 years, Occ. Business, R/o. 2-182, Angadi Bazar, Old Bus Stand, Mothkur Mandal, Yadadribhuvanagiri District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ of mandamus or any other appropriate writ declaring the action of the respondent No.2 and 3 in issuing the permission infavour of the respondent No.6 and 7 for installation of Telecommunication Infrastructures Roof Top (HP ODSC) at premises bearing H.No.2-182, Angadibazar road, Mothkur vide proceedings No.G1/152/2020, dt.14/09/2020 issued by the respondent No.2 and also declare the action of the respondent No.4 in threatening us and supporting the respondent No.6 and 7 for installation of Roof Top Cell tower is illegal, arbitrary, against the principles of natural justice, and unconstitutional

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay the installation of Telecommunication Infrastructures Roof Top (HP ODSC) at premises bearing H.No.2-182, Angadibazar road, Mothkur vide proceedings No.G1/152/2020, dt.14/09/2020 issued by the respondent No.2 by restraining the Respondent No.4 from interfering with right and liberty of the petitioners pending disposal of writ petition

Counsel for the Petitioner: SRI. K. RAMA KRISHNA

Counsel for the Respondent No.1: GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT

Counsel for the Respondent No.2: SRI PUTTA KRISHNA REDDY, SC

Counsel for the Respondent Nos. 5&6: SRI N. MANIKANTA REP SRI P. HEMACHANDRA

Counsel for the Respondent No.7:--

The Court made the following: ORDER

HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.17463 of 2020

ORDER:

Heard Sri Putta Krishna Reddy, learned Standing Counsel appearing for respondent No.2 and Sri N. Manikanta, learned counsel representing Sri P. Hemachandra, learned counsel appearing for respondent Nos.5 and 6. None appears for petitioners and respondent No.7.

2. This writ petition is filed declaring the action of respondent Nos.2 and 3 in issuing the permission in favour of respondent Nos.6 and 7 for installation of Telecommunication Infrastructures Roof Top (HP ODSC) at premises bearing H.No.2-182, Angadibazar road, Mothkur vide proceedings No.G1/152/2020, dated 14.09.2020 issued by respondent No.2 and also declare the action of respondent No.4 in threatening the petitioners and supporting respondent Nos.6 and 7 for installation of Roof Top Cell Tower as illegal.

3. Whereas, learned counsel appearing for respondent Nos.5 and 6, on instructions, would submit that there is no proposal for respondent Nos.5 and 6 to erect the said tower.

4. Vide order dated 19.10.2020 this Court granted interim stay. However, in view of the submission of learned counsel appearing for respondent Nos.5 and 6, the cause in the present writ petition no longer survives and this Writ Petition has become infructuous.

5. Recording the said submission, this Writ Petition is dismissed as infructuous. There shall be no order as to costs.

As a sequel, the miscellaneous petitions, if any, pending in the Writ Petition shall stand closed.

SD/-P.CH.NAGABHUSHAMBA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. Two CCs to GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT ,High Court for the State of Telangana, at Hyderabad [OUT]
2. One CC to SRI. P. HEMACHANDRA, Advocate [OPUC]
3. One CC to SRI. K. RAMA KRISHNA, Advocate [OPUC]
4. One CC to SRI. PUTTA KRISHNA REDDY, SC [OPUC]
5. Two CD Copies

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HIGH COURT

DATED:26/12/2024

ORDER

WP.No.17463 of 2020



DISMISSING THE WRIT PETITION AS INFRUCTOUS WITHOUT COSTS

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