

APHC010016942026



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3457]

THURSDAY, THE 16th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 1038/2026

Between:

1. TADAVARTHI VENKATA RAMA PRASAD, S/O RADHA KRISHNA, AGED 57 YEARS. ACCOUNTS CLERK, RESIDENT OF PAPARAJU THOTHA, CHIRALA, BAPATLA DISTRICT
2. SIKHAKOLLI VENKATESWARLU,, S/O VENKATASWAMY, AGED 65 YEARS, BUSINESS, PAPARAJUTHOTA, CHIRALA, BAPATLA DISTRICT
3. CH DHANALAKSHMI, W/O LATE VENUGOPALA REDDY AGED 46 YEARS, PAPARAJUTHOTA, CHIRALA, BAPATLA DISTRICT
- 4.. PADARTHI RAMA RAO, , S/O VENKATESWARLU, AGED 65 YEARS, PAPARAJUTHOTA, CHIRALA, BAPATLA DISTRICT

...PETITIONER(S)

AND

1. THE STATE OF AP, REP BY ITS PRINCIPAL SECRETARY, MA AND UD DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT 522238
2. THE DISTRICT COLLECTOR, BAPATLA DISTRICT, BAPATLA 522101
3. CHIRALA MUNICIPALITY, REP BY ITS COMMISSIONER, CHIRALA, BAPATLA DISTRICT, 522101 REP BY ITS COMMISSIONER
4. THE MANAGING DIRECTOR AND C E O, INDUS TOWER, BUILDING NO. 10, TOWER A, 4TH STAIR, DLF CYBER CITY, GURUGRAM 122 002.
5. THE MANAGER, INDUS TOWERS LIMITED, CHIRALA MUNICIPALITY STREET, PAPARAJUTHOTA, CHIRALA, BAPATLA DISTRICT 523155
6. KOLISSETTY SUBBARAYUDU, S/O. VENKATESWARLU, D NO. 12-3, GOUAPUDI STREET, VETAPALEM, VETAPALEM MANDAL, BAPATLA DISTRICT 523187

...RESPONDENT(S):

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 topleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus, to declare the action of the 3rd respondent in granting permission to the respondents 4 and 5 in ROC No. 19/1032/CRL/TT/25 Dated 22.11.2025 for Erection of New Telecom Infrastructure Tower at premises in Survey No. 211/1, D No. 16-4-11, Paparaju Thota Vilalge, Chrala Mandal, Bapatla District in quite contravention

of Indian Telegraph Right of Way Rules, 2016, Andhra Pradesh Right of Way, Guidelines 2021 in comprehensive guidelines for issue of clearance for installation New Telecommunication Infrastructure Towers and orders of the Honble High Court and various Government G Os issued from time to time as illegal and for consequential direction directing the 3rd respondent to cancel the permission to install Cell Towers in Survey No. 211/1, D No. 16-4-11, Paparaju Thota Vilalge, Chrala Mandal, Bapatla District in faovur of respondents 4 and 5 forthwith and to pass

IA NO: 1 OF 2026

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 of all further proceedings including the erection of Cell Tower in Survey No. 211/1, D No. 16-4-11, Paparaju Thota Village, Chrala Mandal, Bapatla District by the 4th and 5th respondents in pursuance of the permission issued by the 3rd respondent in ROC No. 19/1032/CRL/TT/25 Dated 22.11.2025 pending disposal of the above writ petition and to pass

Counsel for the Petitioner(S):

1.A SREEDHAR

Counsel for the Respondent(S):

1.GP FOR REVENUE

2.JAMPANA SRIKANTH

3.GP MUNICIPAL ADMN AND URBAN DEV AP

The Court made the following:

THE HONOURABLE SRI JUSTICE HARINATH.N**WRIT PETITION NO: 1038/2026****ORDER:**

1. This writ petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking the following relief/s.

“to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS by declaring the action of the 3rd respondent in granting permission to the respondent Nos.4 and 5 in ROC.No.19/1032/CRL/TT/25, dated 22.11.2025 for erection of New Telecom INfracture Tower at premises in Survey No.211/1, D.No.16-4-11, Paparaju Thota Village, Chirala Mandal, Bapatla District in quite contravention of Indian Telegraph Right of Way Rules, 2016, Andhra Pradesh Right of Way Guidelines 2021 in comprehensive guidelines for issue of clearance for installation New Telecommunication Infrastructure Towers and orders of the Hon’ble High Court and various Government GOs issued from titme to time as illegal and for consequential direction directing the 3rd respondent to cancel the permission to install Cell Towers in Survey No.211/1, D.No.16-4-11, Paparaju Thota Village, chirala Mandal, Bapatla District in favour of the respondent Nos.4 and 5 and pass”.

2. The petitioners are aggrieved by the orders passed by the 3rd respondent granting permission to the respondent Nos.4 and 5 for erecting a cell tower. The petitioners are residents of the layout situated in Survey No. 211/1, D.No.16-4-11, Paparaju Thota Village, Chirala Mandal, Bapatla District and they are concerned about the proposed

erection of the cell by the respondent Nos.4 and 5. In that process, the 3rd respondent has accorded clearance for the erection of the cell tower without duly considering the objections submitted by the petitioners.

3. Heard the learned counsel for the petitioners and Sri G.Lakshmi Narayana, learned Standing counsel appearing for the respondent No.3.

4. The learned Standing counsel submits that the grievance raised by the petitioners falls within the domain of the Telecom Enforcement, Resources and Monitoring (TERM) Cell of the Department of Telecommunications, Government of India, which is the authority empowered to deal with complaints relating to mobile tower emissions, safety standards, and compliance under the Indian Telegraph Act, 1885 and the DoT's radiation and infrastructure norms. It is further submitted that this Court, in similar matters, has already taken the view that grievances regarding mobile tower installations must be addressed before the TERM Cell. Reliance is placed on the orders passed by this Court in W.P.Nos.29089 of 2025, 3341 of 2019 and 29084 of 2025.

5. Following the orders of this Court in W.P.Nos.29089 of 2025, 3341 of 2019 and 29084 of 2025, the present writ petition stands disposed off, leaving it open to the petitioners to approach the appropriate authority for redressal of their grievance. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE HARINATH.N

Date:16.07.2026.

KGM

Whether the order is:

Speaking		Reasoned	☒
Reportable		Non-reportable	☒

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THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION No.1038 of 2026
Date: 16.07.2026

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