

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

WEDNESDAY, THE EIGHTH DAY OF SEPTEMBER,
TWO THOUSAND AND TWENTY ONE

: PRESENT:

THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 13622 OF 2021



Between:

Sneha Mithra Residential welfare association, represent by its president Narayana murthy, R/o Do.No.12-45-11, Papayyarajupalem, Sujathanagar, Pendurthimandal, Visakhapatnam.

Petitioner

AND

1. The Telecom Regulatory Authority India, Mahanagar Doorsanchar bhavan Jawarlal Nehru marg, Next to Zakir Hussain College New Delhi - 110002.
2. TERM Andhra Pradesh D-11, Telecom Officers Complex, Tekkali Road, Mughalraipuram, Vijayawada - 520010
3. The District Collector, Visakhapatnam, District at Visakhapatnam.
4. The Tahsildar, Pendurthy Mandal, Visakhapatnam District
5. Greater Visakhapatnam Municipal Corporation, Rep By its Commissioner, Visakhapatnam.
6. Zonal Commissioner, Zone-6, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.
7. M/s Indus Towers Limited, Survey No 133 451 8th Floor SLN Terminus Beside Botanical Gardens Gachibowli Hyderabad 500032 Rep by its Circle Legal Head.

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 or order orders or directions more particularly one in the nature of Writ of Mandamus declaring the action of the respondents 1 to 6 in permitting the 7th respondent to construct ground based Mobile Signal Tower in the plot No. 70 in the survey no. 82 to 99 situated at lakshmiapuram village, pendurthy mandal, Visakhapatnam without following the guidelines prescribed by the Department of telecommunication and also the action of the 7th respondent in going ahead with construction of ground based Mobile Signal Tower in the plot No. 70 in the survey no. 82 to 99 situated at lakshmiapuram village, pendurthimandal, Visakhapatnam. without bothering of objections of the petitioner as illegal arbitrary discriminative besides violative of the Arts 14 and 21 of the Constitution of India and consequently direct the respondents 1 to 6 to restrain the 7th respondent from proceeding with the erection of ground based Mobile Signal Tower in the plot No. 70 in the survey no. 82 to 99 situated at lakshmiapuram village, pendurthi mandal, Visakhapatnam Andhra Pradesh

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents 1 to 6 to restrain the 7th respondent from proceeding with the erection of ground based Mobile Signal Tower in the plot No. 70 in the survey no. 82 to 99 situated at lakshmiapuram village, pendurthimandal, Visakhapatnam Andhra Pradesh, in the interest of justice, pending disposal of WP No.13622 of 2021, on the file of the High Court.

The petition coming on for hearing and upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Rajesh Matcha, Advocate for the Petitioner, GP for Revenue for Respondent No.2 to 4 and of Sri S. Lakshminarayana Reddy, Standing Counsel for Respondent No.5, the Court made the following

ORDER

Despite the notice, the 7th respondent has not chosen to appear in this Court. The learned counsel for the petitioner has submitted that even after receipt of the notice from the Hon'ble Court, the 7th respondent erecting the tower forcibly.

Considering the same, status quo shall be maintained as on today by both the parties.

The respondents 5 and 6 are directed to file their counter.

Post after three weeks.

//TRUE COPY//

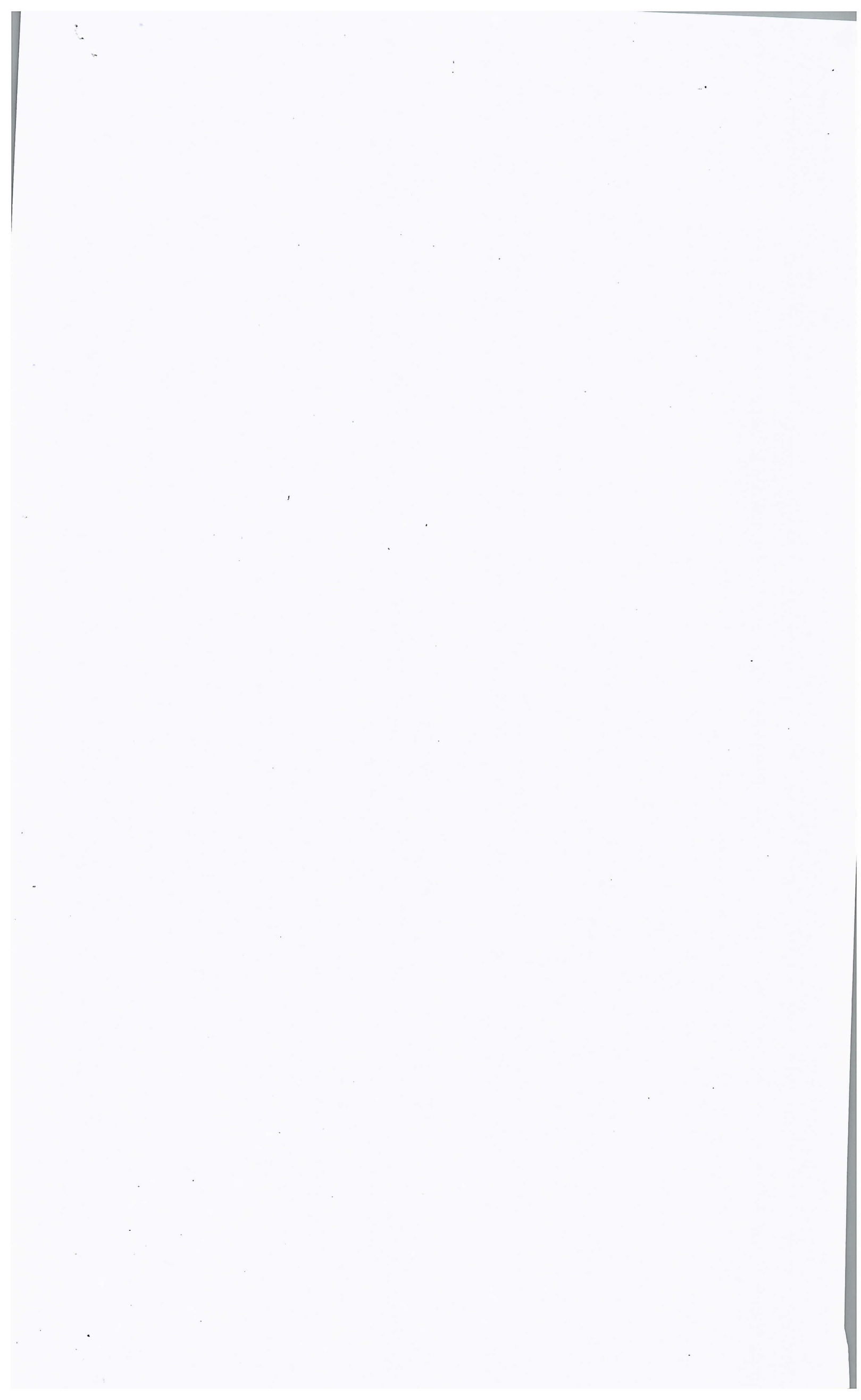
Sd/-K.TataRao
ASSISTANT REGISTRAR

SECTION OFFICER
FOR ASSISTANT REGISTRAR

To

1. The Telecom Regulatory Authority India, Mahanagar Doorsanchar bhavan Jawarlal Nehru marg, Next to Zakir Hussain College New Delhi - 110002.
2. TERM Andhra Pradesh D-11, Telecom Officers Complex, Tekkali Road, Mughalraipuram, Vijayawada - 520010
3. The District Collector, Visakhapatnam, District at Visakhapatnam.
4. The Tahsildar, Pendurthy Mandal, Visakhapatnam District
5. The Commissioner, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.
6. The Zonal Commissioner, Zone-6, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.
7. The Circle Legal Head M/s Indus Towers Limited, Survey No 133 451 8th Floor SLN Terminus Beside Botanical Gardens Gachibowli Hyderabad 500032.
(1 to 7 by RPAD-)
8. One CC to Sri Rajesh Matcha, Advocate [OPUC]
9. Two CCs to GP for Revenue, High Court of Andhra Pradesh.[OUT]
10. One spare copy
11. *success to R. S. Lakshminarayana, Advocate (OPUC)*

Tvr



HIGH COURT

DRJ

DATED: 08.09.2021

WP.No.13622 of 2021

Status quo

