

(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
 (Special Original Jurisdiction)
 FRIDAY, THE TENTH DAY OF JANUARY TWO THOUSAND AND TWENTY
:PRESENT:
THE HONOURABLE SRI JUSTICE P.NAVEEN RAO
WRIT PETITION NO: 394 OF 2020

Between:

1. Venkata Shiva Sal Heights Welfare Association, Represented by Soodey Srinivas Reddy, Having its registered Office at: H.No 2-53/10/VSSH/302, Nizampet, Medchal, Malkajgiri – 500 090.
2. Mr. Soodey Srinivas Reddy, S/o Narayan Reddy, aged about 45 years, Occ:Pvt., Employee, R/o. H.No. 4-1-749, Allampally Road, Near B.T.S Colony, Vikarabad, K.V Ranga Reddy, Telangana – 501 101.
3. Reddy's Avenue Owners Association, Rep., by its Authorized Signatory, Mr. Jagdeesh Babu Swarna, Plot No. 86, Reddys Avenue, Rajadhani School Road, Nizampet, Hyderabad – 500 090, Mobile No: 8885088008.
4. Mr. Jagdeesh Babu Swarna, S/o. Subba Rao Swarna, Aged about 42 years, Occ: Pvt. Employee, R/o. Flat No. 216, SMR Vinay Hilands, Near HDFC Bank, Mayuri Nagar, Miyapur, Hyderabad, Telangana – 500 049.

...Petitioners

AND

1. Union of India, Ministry of Communication & IT Department of Telecommunication, New Delhi.
2. Municipal Commissioner, Nizampet Municipal Office, Nizampet, Ranga Reddy District.
3. Dr. T.K.Sreedevi, IAS, Municipal Director, Municipal Administration Department, 640, ac Guards, Masab Tank, Opp: PTI Buldng, Hyderabad, 500 004.
4. Public Information Officer, Nizampet, Municipal Office, Nizampet, R.R District.
5. M/s. Indus Towers Limited, Rep., by Mr. Avula Jagadeesh Yadav Survey No.133, 4-51, 8th Floor, SLN Terminus, Beside Botanical Gardens, Gachibowli, Hyderabad – 500 032.

...Respondents

WHEREAS the Petitioners above named through their Advocate Mr. PRAKASH CHAKRAVARTHY presented this 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, questioning the action of 2nd Respondent, in granting permission vide Proceeding No. 07/TPS/PER/CT/CMZ/2019-20, dated: 11/7/2019, to the 4th Respondent to erect telecommunication Infrastructure Indus Cell Tower on building bearing Plot No 386, Sy.No. 131, Reddys Avenue, Nizampet, Village, Bachupally Mandal, Mew Medchal-Malkajgiri, District, violating the terms prescribed under G.O. MS. No. 96, 380, 183, dt: 5/8/2015, as laid by the 1st Respondent, resulting in the 4th Respondent erected "Indus Cellular Tower" on a legal construction in Residential Zone, surrounded by various Apartments, residential buildings, Schools, hospitals, gas pipe lines etc., within 100m of radius, without following norms and inspite of repeated requests and representation dt: 26/10/2019, to the Respondent No.4 to stop the erection of Indus Cellular Tower at the Plot No. 386, in Sy.No.131, Reddy's Avenue, Nizampet Village, Bachpally Mandal, New Medchal-Malkajgiri District, Ranga Reddy District, Telangana, not considering the same is illegal, unlawful and ultra virus to the GO.Ms. No.96, 380, 183 and against the principles of natural justice.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Mr. PRAKASH CHAKRAVARTHY, Advocate for the Petitioners, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. Union of India, Ministry of Communication & IT Department of Telecommunication, New Delhi.
2. Municipal Commissioner, Nizampet Municipal Office, Nizampet, Ranga Reddy District.
3. Dr. T.K.Sreedevi, IAS, Municipal Director, Municipal Administration Department, 640, ac Guards, Masab Tank, Opp: PTI Buldng, Hyderabad, 500 004.
4. Public Information Officer, Nizampet, Municipal Office, Nizampet, R.R District.
5. Mr. Avula Jagadeesh Yadav, M/s. Indus Towers Limited, Survey No.133, 4-51, 8th Floor, SLN Terminus, Beside Botanical Gardens, Gachibowli, Hyderabad – 500 032.

are directed to show cause on or before 31-01-2020 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

List on 31.1.2020.

**SD/- P.NARSING RAO
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. Union of India, Ministry of Communication & IT Department of Telecommunication, New Delhi.
2. Municipal Commissioner, Nizampet Municipal Office, Nizampet, Ranga Reddy District.
3. Dr. T.K.Sreedevi, IAS, Municipal Director, Municipal Administration Department, 640, ac Guards, Masab Tank, Opp: PTI Buldng, Hyderabad, 500 004.
4. Public Information Officer, Nizampet, Municipal Office, Nizampet, R.R District.
5. Mr. Avula Jagadeesh Yadav, M/s. Indus Towers Limited, Survey No.133, 4-51, 8th Floor, SLN Terminus, Beside Botanical Gardens, Gachibowli, Hyderabad – 500 032 (RR 1 to 5 by RPAD along with a copy of petition and affidavit).
6. One CC to SRI. PRAKASH CHAKRAVARTHY, Advocate [OPUC].
7. One CC to SRI. N. RAJESHWAR RAO (AST SOL GEN), Advocate [OPUC].
8. One spare copy
ZEE

HIGH COURT

PNRJ

DATED:10/01/2020

LIST ON 31/01/2020

NOTICE BEFORE ADMISSION

WP.No.394 of 2020

