

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

TUESDAY, THE FIRST DAY OF OCTOBER
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

**THE HONOURABLE MRS JUSTICE SUREPALLI NANDA
WRIT PETITION NO: 27308 OF 2024**

Between:

Jio Digital Fibre Private Limited, Having registered office at 101, Saffron, Nr. Centre Point, Panchawati 5 Rasta, Ambawadi, Ahmedabad - 380006, Gujarat, India, Rep. by its Authorized Signatory, Mr. V/.Lokeshwara Babu.

Petitioner

AND

1. The State of Telangana, Rep. by its Principal Secretary, Information Technology and Communications Department, Secretariat Buildings, Hyderabad.
2. Southern Power Distribution Company of Telangana Limited, Rep. by its Chairman and Managing Director, Mint Compound, Hyderabad.
3. Union of India, through the Dept. of Telecommunications Sanchar Bhawan, 20 Ashoka Road, New Delhi- 110001.

Respondents

WHEREAS the Petitioner above named through its Advocate Sri. SAI SANJAY SURANENI 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. a. declaring the actions of Respondent No.2 in issuing Demand Notices bearing Nos. 1318/2024-25, 1319/2024-25, 1320/2024-25, 1321/2024-25, 1322/2024-25, 1323/2024-25, 1324/2024-25, 1325/2024-25 dated 04.07.2024 as being arbitrary, illegal, without jurisdiction, in violation of Articles 14 and 19 of the Constitution of India and in violation of the Indian Telegraph Right of Way Rules, 2016 and consequently set aside the said Demand Notices, and b. direct the Respondent No.2 to collect compensation, for use of its electricity poles, from the Petitioner strictly in accordance with the Indian Telegraph Right of Way Rules, 2016 (as amended);

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri SAI SANJAY SURANENI Advocate for the Petitioner and Sri A.Venkatesh, representing Sri Sai Sanjay Suraneni, learned counsel on record appearing on behalf of the petitioner, learned Assistant Government Pleader for Information Technology & Communications Department, appearing on behalf of respondent No.1, Sri R. Vinod Reddy, learned Standing Counsel for TGSPDCL, appearing on behalf of respondent No.2 and Sri Gadi Praveen Kumar, learned Deputy Solicitor General of India appearing on behalf of respondent No.3, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Information Technology and Communications Department, State of Telangana, Secretariat Buildings, Hyderabad.
2. The Chairman and Managing Director, Southern Power Distribution Company of Telangana Limited, Mint Compound, Hyderabad.
3. Dept. of Telecommunications, Sanchar Bhawan, 20 Ashoka Road, Union of India, New Delhi- 110001

are directed to show cause on or before 04.10.2024 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.

IA NO: 2 OF 2024

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 Demand Notices bearing No's. 1318/2024-25, 1319/2024-25, 1320/2024-25, 1321/2024-25, 1322/2024-25, 1323/2024-25, 1324/2024-25, 1325/2024-25 dated 04.07.2024 issued by Respondent No. 2, pending disposal of WP No. 27308 of 2024, on the file of the High Court.

The Court made the following:

ORDER:

Heard learned Senior Designate Counsel Sri A.Venkatesh, representing Sri Sai Sanjay Suraneni, learned counsel on record appearing on behalf of the petitioner, learned Assistant Government Pleader for Information Technology & Communications Department, appearing on behalf of respondent No.1, Sri R. Vinod Reddy, learned Standing Counsel for TGSPDCL, appearing on behalf of respondent No.2 and Sri Gadi Praveen Kumar, learned Deputy Solicitor General of India appearing on behalf of respondent No.3.

Notice before admission.

The respondent No.2 is directed not to take any coercive action in respect of the petitioner's telegraph lines installed on the electricity poles belonging to respondent No.2 upon payment of compensation by the petitioner in accordance with Indian Telegraph Right of Way Rules, 2016 (as amended) till 04.10.2024.

List on 04.10.2024.

**SD/- T.TIRUMALA DEVI
ASSISTANT REGISTRAR** 24

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Information Technology and Communications Department, State of Telangana, Secretariat Buildings, Hyderabad.
2. The Chairman and Managing Director, Southern Power Distribution Company of Telangana Limited, Mint Compound, Hyderabad.
3. Dept. of Telecommunications, Sanchar Bhawan, 20 Ashoka Road, Union of India, New Delhi- 110001
(1 to 3 by RPAD- along with a copy of petition and Affidavit)
4. One CC to SRI. SAI SANJAY SURANENI Advocate [OPUC]
5. Two CCs to GP FOR INFORMATION TECHNOLOGY, High Court at Hyderabad. [OUT]
6. One CC to SRI. GADI PRAVEEN KUMAR (DY.SOLICITOR GEN. OF INDIA) Advocate [OPUC]
7. One spare copy

HIGH COURT

SN, J

DATED:01/10/2024

LIST ON 04.10.2024

NOTICE BEFORE ADMISSION

WP.No.27308 of 2024

DIRECTION

