

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE FOURTH 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

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);

IA NO: 2 OF 2024

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 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 petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated: 01.10.2024 made herein and upon hearing the arguments of SRI. SAI SANJAY SURANENI Advocate for the Petitioner, Assistant GP FOR INFORMATION TECHNOLOGY for the Respondent No.1, SRI. R. VINOD REDDY Advocate for the Respondent No.2 and SRI. GADI PRAVEEN KUMAR (DEPUTY SOLICITOR GENERAL OF INDIA) Advocate for the Respondent No.3, the Court made the following.

ORDER:

Learned counsel appearing on behalf of the petitioner is present.

At the request of Sri R. Vinod Reddy, learned Standing Counsel appearing on behalf of the respondents, list on 24.10.2024.

The interim order granted by this Court on 01.10.2024 shall stand extended till 31.10.2024.

//TRUE COPY//

**Sd/-MOHD. ISMAIL
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. One CC to SRI. SAI SANJAY SURANENI, Advocate [OPUC].
2. One CC to SRI. GADI PRAVEEN KUMAR (DEPUTY SOLICITOR GENERAL OF INDIA), Advocate [OPUC].
3. Two CCs to GP FOR INFORMATION TECHNOLOGY, High Court for the State of Telangana at Hyderabad [OUT].
4. One spare copy

HIGH COURT

SNJ

DATED:04/10/2024

LIST ON 24.10.2024

ORDER



WP.No.27308 of 2024

INTERIM ORDER EXTENDED