

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE SEVENTH DAY OF AUGUST

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NOS: 27308 OF 2024 AND 6500 OF 2025

W.P.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, 04.10.2024, 30.10.2024, 11.11.2024, 12.12.2024, 29.01.2025, 27.02.2025, 11.03.2025, 26.03.2025, 02.04.2025, 09.06.2025, 23.06.2025, 30.06.2025, 22.07.2025 and 28.07.2025 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. N. SREEDHAR REDDY Advocate for the Respondent No.2 and (DEPUTY SOLICITOR GENERAL OF INDIA) Advocate for the Respondent No.3,

W.P.No.6500 of 2025

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. Northern Power Distribution Company of Telangana Limited, Rep. by its Chairman and Managing Director, Warangal.
3. Union of India, rep. by its Secretary, 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 No's. D.No.1006/22-23 dated 28.07.2022, D.No.700/23 dated 16.12.2023, D.No. /23 dated 03.02.2024, D.No.151/24 dated 23.05.2024, D.No.98 dated 04.07.2024, D.No.337/24-25 dated 15.07.2024, D.No.402/24-25 dated 14.08.2024, D.No.403/24-25 dated 14.08.2024 D.No.245/25 dated 14.02.2025, D.No. 685/2025 dated 21.02.2025 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: 1 OF 2025:

Petition under Order 39 Rule 1 & 2 read with Section 151 of CPC, praying that in the circumstances stated in the affidavit filed in the writ petition, the High Court may be pleased to restrain the Respondent No.2 from taking 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), pending disposal of WP. No. 6500 of 2025, on the file of the High Court.

IA NO: 2 OF 2025:

Petition under Section 151 of CPC, praying that in the circumstances stated in the affidavit filed in the writ petition, the High Court may be pleased to stay the Demand Notices bearing Nos. D.No.1006/22-23 dated 28.07.2022, D.No.700/23 dated 16.12.2023. D.No. /23 dated 03.02.2024, D.No.151/24 dated 23.05.2024, D.No.98 dated 04.07.2024. D.No.337/24-25 dated 15.07.2024, D.No.402/24-25 dated 14.08.2024, D.No.403/24-25 dated 14.08.2024 D.No.245/25 dated 14.02.2025, D.No. 685/2025 dated 21.02.2025 issued by Respondent No.2, pending disposal of WP. No. 6500 of 2025, 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: 07.03.2025, 02.04.2025, 09.06.2025, 23.06.2025 and 28.07.2025 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. A. CHANDRA SEKHAR Advocate for the Respondent No.2 and (DEPUTY SOLICITOR GENERAL OF INDIA) Advocate for the Respondent No.3, the Court made the following.

ORDER:

At request of learned standing counsel for NPDCL in W.P.No.6500 of 2025, for filing counter, list on 20.08.2025.

Till then, interim order granted earlier is extended.

Sd/-N.CHANDRA SHEKAR RAO
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. One CC to SRI. SAI SANJAY SURANENI, Advocate [OPUC].
2. One CC to (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

NBKJ

DATED:07/08/2025

LIST ON 20.08.2025

ORDER



WRIT PETITION NOs: 27308 OF 2024 AND 6500 OF 2025

INTERIM ORDER EXTENDED