

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

FRIDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND EIGHT

PRESENT
THE HON'BLE SRI ANIL R.DAVE, THE CHIEF JUSTICE
AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P.MISCELLANEOUS PETITION NO : 4810 of 2008
IN

W.P.NO: 23228 of 2007

Between:

1. The Special Officer & Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund, Hyderabad.
2. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Kapra Municipality, Ranga Reddy District.

..... PETITIONERS/RESPONDENTS 1 & 2

AND

1. P. Varalaxmi, W/o. P. Ravinder Reddy, R/o. 1-402, May Flower Park, Mallapur, Ranga Reddy District.
2. M/s. Modi Properties & Investments Pvt.Ltd., Rep. by its Managing Partner, 5-4-187/3, 4, III rd Floor, M.G. Road, Secunderabad.
3. M/s. Reliance Communications Ltd., Rep. by its Manager, Lake Shore Towers, 6-3-1090/B/1, Raj Bhavan Road, Somajiguda, Hyderabad.
4. M/s.J.T.Mobile Ltd. (Presently Airtel), Rep by its Manager, Splendid Tower, Huda Road, Begumpet, Hyderabad – 16.
5. M/s.Tata Communications Ltd. (Presently Idea), Rep by Manager, Khan Lateef Khan Building, Fathe Maidan Road, Hyderabad.
6. M/s.Tata Teleservices and Cellular Ltd., (Presently Tata Indicom), Rep. by its Manager, Khan Lateef Khan Building, Fathe Maidan Road, Hyderabad.
7. M/s.Bharathi Mobile Ltd. (Presently Airtel), Rep by its Manager, Splendid Tower, Huda Road, Begumpet, Hyderabad – 16.
8. M/s.Barakamba Sales and Services Ltd. (Presently Vodafone) Nandavaram Complex, V.R.Nagar, S.R.Nagar X Roads, Hyderabad – 38
9. State of Andhra Pradesh., Rep by its Principal Secretary to Government, Municipal Administration Department, Secretariat, Hyderabad.

(Respondents 2 to 9 are not necessary parties to this Petition).

....RESPONDENTS/Writ Petitioner/RESPONDENTS 3 to 10

Contd.....2

Petition Under Section 151 of CPC praying that in the Circumstances stated in the affidavit filed therewith, the High Court will be pleased to grant 3 months time for complying the directions of this Hon'ble Court dated 31-01-2007 in Writ Petition No.23228 of 2007

The Petition coming on for hearing, upon persuing the Petition and the affidavit filed in support thereof Sri.R.Ramachandra Reddy, Advocate Counsel for the Petitioners and for Respondent No.1, Sri.Mohd Zafarullah, Advocate for Respondent No.3, Sri.V.Venkata Ramana, Advocate and for Respondent for Sri.L.Ravichander, Advocate for Respondent 6 and 7 Sri.Rama Rao Ganta, and Respondent 5 and 8 Sri.S.Niranjan Reddy, Advocate and for Respondent 10th Government Pleader for Municipal Administration.

The Court made the following Order :-

This is an application for extension of time for the purpose of complying with the directions given by this Court in Writ Petition No.23228 of 2007.

Having heard the learned Standing Counsel for the applicants and looking to the facts of the case, time for compliance of the order has been extended up to 30th June, 2008.

The application stands disposed of as granted.

**Sd/-T.S. VASANTHA KESAVULU
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To

1. The Special Officer & Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund, Hyderabad.
2. The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Kapra Municipality, Ranga Reddy District.
3. The Managing Partner, M/s. Modi Properties & Investments Pvt.Ltd., 5-4-187/3, 4, III rd Floor, M.G. Road, Secunderabad.
4. The Manager, M/s. Reliance Communications Ltd., Lake Shore Towers, 6-3-1090/B/1, Raj Bhavan Road, Somajiguda, Hyderabad.
5. The Principal Secretary to Government Municipal Administration., High Court of A.P., Hyderabad.
6. Two CC's to Government Pleader for Municipal Administration, High Court of A.P., Hyderabad. (OUT)
7. One CC to Sri.Mohammad Zafarullah, Advocate. (OPUC)
8. One CC to Sri.R.Ramachandra Reddy, Advocate. (OPUC)
9. One CC to Sri.V.Venkata Ramana, Advocate. (OPUC)
10. One CC to Sri.Milind G.Gokhale, Advocate. (OPUC)
11. One CC to Sri.L.Ravichander, Advocate. (OPUC)
12. One CC to Sri.Rama Rao Ganta, Advocate. (OPUC)
13. One CC to Sri.S.Niranjan Reddy, Advocate. (OPUC)
14. Two CD Copies.

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IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND SEVEN

PRESENT
THE HON'BLE SRI BILAL NAZKI, ACTING CHIEF JUSTICE
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No : 23228 of 2007

BETWEEN:

P. Varalaxmi W/o P. Ravinder Reddy
R/o 1-402, May Flower Park, Mallapur,
Ranga Reddy District.

..... PETITIONER

AND

- 1 The Special Officer & Commissioner, Greater Hyderabad Municipal Corporation, Tank Bund, Hyderabad.
- 2 The Deputy Commissioner, Greater Hyderabad Municipal Corporation, Kapra Municipality, Ranga Reddy District.
- 3 M/s. Modi Properties & Investments Pvt.Ltd., Rep. by its Managing Partner, 5-4-187/3,4 III rd Floor, M.G. Road, Secunderabad.
- 4 M/s. Reliance Communications Ltd., Rep. by its Manager, Lake Shore Towers, 6-3-1090/B/1, Raj Bhavan Road, Somajiguda, Hyderabad.
5. M/s J.T. Mobile Ltd (Presently Airtel)
Rep. by Manager, Splendid Tower, Huda Road,
Begumpet, Hyderabad-16
6. M/s Tata Communication Ltd (Presently Idea)
Rep by Manager
Khan Lateef Khan Bldg, Fathe Maidan Road,
Hyderabad.
7. M/s Tata Teleservices and Cellular Ltd (Presently Tata Indicom)
Rep by Manager
Khan Lateef Khan Bldg, Fathe Maidan Road,
Hyderabad.
8. M/s Bharathi Mobile Ltd (Presently Airtel)
Represented by Manager,
Splendid Tower, Huda Road,
Begumpet, Hyderabad -16
9. M/s Barakamba Sales and Services Ltd (presently Vodafone)
Nandavaram Complex, V.R. Nagar, S.R. Nagar X Road,
Hyderabad-38
10. State of Andhra Pradesh Rep. by Prl. Secretary to Government,
Municipal Administration Department, Secretariat,
Hyderabad.

(RR5 to 10 are impleaded Suo-Motto as per Court Order dated 16.11.07
in W.P.No.23228 of 2007)

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order direction or writ particularly a mandamus declaring the inaction delay and negligence of the respondents 1 & 2 in taking the follow up action upon notice No.G2/884/07 dt. 20-9-07 under HMC Act 1955 as arbitrary, collusive illegal, in violation of fundamental/human rights and principles of natural justice and the non removal of said tower by respondents 3 & 4 as illegal, and consequently direct them to remove the illegally erected M/sReliance Communication's tower from the terrace of 5th floor, I-Block , May Flower Park, Mallapur GHMC Kapra Circle, as per the said notice.

Counsel for the Petitioner: SRI MOHD ZAFRULLAH
Counsel for the Respondents 1 & 2: SRI POLISETTI RADHA KRISHNA
SRI R. RAMACHANDRA REDDY
(S.C. FOR M.P)
Counsel for the Respondent No.3: SRI V. VENKATA RAMANA
Counsel for the Respondent No.4: SRI K. RAVICHANDER
Counsel for the Respondent No.6 & 7: SRI RAMA RAO GANTA
Counsel for the Respondent No.5&8: SRI S. NIRANJAN REDDY
Counsel for the Respondent No.9: NONE
Counsel for the Respondent No.10: G.P. FOR MPL. ADMINISTRATION

The Court made the following ORDER: