

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No.: W.P. No. 9786 of 2023

PROCEEDING SHEET

Sl. No.	DATE	ORDER	
01	19.04.2023	<u>RNT, J</u> 1) Sri. P. Prabhakar, Advocate, representing Sri. T.S. Murthy, learned Counsel for the Petitioner, submits that the Petitioner was granted permission to erect the Roof Top Poles [R.T.P.] by ATC Telecom Infrastructure Private Limited on premises bearing Survey No. 334/2334/1, door No.28/3/1188 at Zakir Hussain Nagar, Nellore, Bit-II Village, by Lease Deed, dated 22.11.2022. By the impugned Order, dated 04.03.2023, on the complaint of the local residents, the permission has been revoked with immediate effect by the 2nd Respondent. He submits that, such order is in violation of the principles of natural justice as no show-cause notice was issued to the Petitioner and any opportunity against the proposed action of cancellation was not afforded. 2) From the order impugned, <i>prima facie</i> it transpires that the contention of the learned Counsel for the Petitioner has got substance. 3) Sri. P. Anand Surya, Advocate, representing Sri. Kalava Suresh Kumar	

		Reddy, learned Standing Counsel for 2nd Respondent, prays for and is granted three [03] weeks time to file counter affidavit. 4) Two [02] weeks thereafter is granted to the Petitioner to file reply affidavit. 5) Post on 21.06.2023. 6) In the meantime, operation of the impugned order shall remain stayed. 7) However, it is open to the 2nd Respondent to pass fresh order in accordance with law, with due opportunity of hearing to the Petitioner and the complainant. RNT, J SM/KLNS	
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