

THE HON'BLE SRI JUSTICE A.V. SESA SAI

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WRIT PETITION No.28340 OF 2015

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ORDER:

This writ petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue a writ or order or direction in the nature of writ of MANDAMUS declaring the action of the respondents 1 to 4 not providing protection to the lands of the petitioner to an extent of Ac.4.24 Cents in R.S. No. 87/1, Ac. 5.00 Cents in R.S.No. 86/2 and Ac.4.24 Cents in R.S. No. 86/1, situated at Madakavamvarigudem Village of Jeelugumilli Mandal, West Godavari District is illegal, arbitrary and consequently direct the respondents to provide the protection to the lands of the petitioner and to pass such order or orders as this Hon'ble Court may deem fit and proper and in the circumstances of the case

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2. When the matter is called today, written instructions dated 01.10.2015, furnished by the Sub Inspector of Police, Jeelugumilli Police Station, West Godavari District, have been placed on record by the learned Government Pleader for Home and the said instructions read as under:

“It is respectfully submitted that one Devara Rohit who is the brother of Devara Ravi Kumar/ the petitioner herein lodged complainant with the SHO Jeelugumilli P.S., West Godavari District against one Madakam Venkateswara Rao/the 5th respondent herein and 4 others stating that he trespassed his lands an extent of Ac.4.24 Cents in R.S. No. 87/1, Ac. 5.00 Cents in R.S.No. 86/2 and Ac. 4.24 Cents in R.S. No. 86/1. situated at Madakavamvarigudem Village of Jeelugumilli Mandal, West Godavari District, hence requested to take necessary action. On that a case in Cr.No.137/2014 U/Sec 447,506 r/w 34 IPC of Jeelugumilli P.S. and the case is pending trial.

Again the petitioner herein filed writ petition seeking police protection to the above said land. The respondent police is not a competent authority to provide protection to the above said disputed

lands unless orders passed by the respondent Tahsildhar basing on the representation dt.18.08.2015 by the petitioner. If the petitioner got any orders from the concerned authority for protection, the respondent police will ready to give as per Law.”

3. On noticing the said instructions, learned counsel for the petitioner requested this court to dispose of the writ petition by recording the written instructions.

4. In view of the above, writ petition is disposed of, by recording the written instructions dated 01.10.2015, furnished by the Sub Inspector of Police, Jeelugumilli Police Station, West Godavari District.

5. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

05th October, 2015

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