

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

MONDAY THE TWENTYTHIRD DAY OF NOVEMBER
TWO THOUSAND AND FIFTEEN

PRESENT
HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 13780 OF 2012

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Between:

Ganapuram Somaiah ... Petitioner

Vs.

The Superintendent of Police,
Warangal district & Ors. ... Respondents

Counsel for the Petitioner: Sri Kowturu Vinaya Kumar

Counsel for the Respondents: GP for Home

Sri A.Prabhakar Rao

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 13780 OF 2012

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ORDER:

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

“To declare the inaction of Respondents 1 to 4 in taking appropriate action on the representations dated 12/3/2012 and 23/4/2012 to provide police protection in view of orders passed in I.A.No. 81 of 2012 in OS.No. 17 of 2012 dated 01/3/2012 on the file of learned Junior Civil Judge, Thorrur, Warangal district as illegal, arbitrary and violative of principles of natural justice and consequently to direct the Respondents 1 to 4 to take immediate action on the said representations and to provide police protection to the petitioner and to his property and to pass such other suitable orders as this court deems fit and proper in the circumstances of the case.”

2. According to the petitioner, he is in peaceful possession of agriculture land, admeasuring Ac:1-20 cents in survey No. 137/B1 situated at Thorrur village and Mandal of Warangal district, having purchased the same through registered sale deed vide Document No.945/2012 dated 03/2/2012 from its original owner and possessor Smt. Muddasani Nagamma wife of Chandraiah @ Ramchandraiah for valuable consideration. The petitioner herein filed OS.No. 17 of 2012 against Respondents 5 and 6 for injunction on the file of the Court of Junior Civil Judge, Thorrur, Warangal district and the learned Junior Civil Judge, Thorrur, granted interim injunction in IA.No. 81 of 2012 in OS.No. 17 of 2012 dated 01/3/2012 and the same was extended from time to time and now extended upto 15/6/2012. In the above background, the petitioner lodged a complaint with the third respondent on 12/3/2012 for action against the defendants acting contrary to the said injunction orders.

3. When the matter is called today, a preliminary objection with regard to the maintainability of writ petition is raised by the learned counsel for unofficial respondents saying that the present writ petition is not maintainable in view of alternative remedy available to the petitioner herein by way of filing an application before the learned Junior Civil Judge, Thorrur for police protection.

4. In view of the above and having regard to the nature of controversy, this writ petition is disposed of, leaving it open for the petitioner herein to file necessary application before the Court of Junior Civil Judge, Thorrur for police protection, if they are advised to do so. No costs.

5. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE A.V.SESHA SAI

23/11/2015

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HONOURABLE SRI JUSTICE A.V. SETHA SAI

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WRIT PETITION NO. 13780 OF 2012

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Date: 23/11/2015

Circulation No.

Court Master: I s L