

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

WRIT PETITION No.28262 OF 2015

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 not providing protection to the lands of the petitioner in Survey No. 82 Extent of Ac.6.00 and Ac.5.00 cents, at Darbagudem village and in Suvey No.74/2 Ac.8.40 cents, situated at Madakamvarigudem Village of Jeelugumilli Mandal 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 in the circumstances of the case.”

2. When the matter is called today, written instructions dated 08.09.2015, furnished by the Sub Inspector of Police, Jeelugumill 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/the petitioner herein stated that he has lands of Ac.6.00 cents, Ac. 5.00 cents in R.S.No.82 at Darbhagudem Village and Ac.8.40 cents in R.S.No.74/2 situated at Madakamvarigudem. The total extent of Ac.19.40 cents is acquired from Smt. Kareddula Kamala Kumari W/o. Raja Rao. On 28.06.2015 one Madaka Venkateswararao/5th respondent herein and his followers came to the above said land and obstructed to agricultural operations, when the petitioner told that the land belongs to him, hence the above said 5th respondent left away and previously also they damaged the crop, hence the petitioner herein requested to provide police protection.

It is humbly submitted that the said complaint

dt.29.06.2015 was never received in the police station. Even the material paper also is not bearing any signature or stamp of police station, thus the allegations are denied.

Moreover the respondent police is not a competent authority to provide police protection, if the petitioner from competent authority with regard to the police protection, the respondent police will act according to Law.”

3. On noticing the said written instructions, learned counsel for the petitioner requested this court to record the said instructions and dispose of the writ petition by keeping it open for the petitioner herein to make complaint afresh.
4. In view of the above, writ petition stands disposed of, by recording the written instructions dated 08.09.2015, furnished by the Sub Inspector of Police, Jeelugumill Police Station, West Godavari District, while keeping it open for the petitioner herein to make compliant the respondent police authorities. If any such complaint is made, respondent police authorities shall consider the same and appropriate action be taken, in accordance with law.
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

16th September, 2015
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