

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

THURSDAY THE TWENTYSEVENTH DAY OF AUGUST  
TWO THOUSAND AND FIFTEEN

PRESENT  
HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 26438 OF 2015

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Between:

Pandaga Narsaiah ... Petitioner

**V/s.**

The State of Telangana,  
Rep. by its Prl. Secretary  
Home Department,  
Secretariat, Hyderabad & Ors. ... Respondents

Counsel for the Petitioner: Sri S.Madan Mohan Rao

Counsel for the Respondents: GP for Home [TG] f

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SETHA SAI

WRIT PETITION NO. 26438 OF 2015

ORDER:

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

To direct the respondents 3 and 4 not to interfere in the civil disputes, possession pertaining to land bearing survey No.148/AA to an extent of Acs:3-30 guntas and land bearing survey no. 149/AA to an extent of Ac:1-20 guntas in total Acs:5-10 guntas situated at Sompalli village, Burgampad Mandal, Khammam district covered by OS.No. 357 of 2009 on the file of Principal Senior Civil Judge, Kothagudem, in violation of Article 300-A of the Constitution of India and the Hon'ble Supreme Court of India vide orders dated 10/3/2006 made in Civil Appeal No. 1634 of 2006 reported in (2006) 4 SCC 501 to 506 between P.RmMuralidharan and Others V/s. Swamy Dharmananda Theerthapadar and Others and consequently to direct the third respondent and his men not to interfere in civil disputes, possession pertaining to land bearing survey No.148/AA to an extent of Acs:3-30 guntas and land bearing sy.no. 149/AA to an extent of Ac:1-20 guntas in total Ac:5-10 guntas situated at Sompalli village, Burgampad Mandal, Khammam district covered by OS.No.357 of 2009 on the file Principal Senior Civil Judge, Kothagudem in violation of Article 300-A of the Constitution of India and the Hon'ble Supreme Court of India vide orders dated 10/3/2006 made in Civil Appeal No. 1634 of 2006 reported in (2006) 4 SCC 501 to 506 between P.RmMuralidharan and Others V/s. Swamy Dharmananda Theerthapadar and Others and to pass such other suitable orders as this court may deems fit and proper in the circumstances of the case .”

2. When the matter is called, written instructions dated 13/8/2015 furnished by the Sub-Inspector of Police, Burgampad Police Station, Khammam district have been placed by the learned Government Pleader for Home [TG].

3. The written instructions reads as under :

It is submitted that the Burgampad Police are not interfering with the petitioner's possession and enjoyment of the subject lands. The police had not given protection to the fourth respondent as alleged by the petitioner. The petitioner has not lodged any complaint with the police about the damage caused to his paddy nursery as of today. In fact the petitioner approached the Superintendent of Police, Khammam district in the second week of July 2015 and pursuant to the same, the Superintendent of Police enquired the Burgampad Police and he was appraised that Burgampad Police are not interfering with the possession and enjoyment of the petitioner's land and that the petitioner has not lodged any complaint about damage of his paddy crop."

4. On noticing the above written instructions, the learned counsel for the petitioner requested to dispose of the writ petition by recording the same with a liberty to the petitioner herein to approach the concerned authorities under G.O.Ms.No.288 Home [PS & C-A2] Department, dated 06/11/2010 in the event of there being any further police interference.

5. In view of the above submission, the writ petition stands disposed of by recording the written instructions dated 19/08/2014 furnished by the Sub-Inspector of Police, Burgampad Police Station, Khammam district, with a liberty to the petitioner herein to approach the competent authorities under the said G.O., if he is so advised. If any such application is made, the same shall be considered in accordance with law.

6. The writ petition is disposed of. No costs.

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

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JUSTICE A.V.SESHA SAI

27/08/2015

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HONOURABLE SRI JUSTICE A.V. SESHASAI

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Circulation No.  
Court Master: I s L