

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

WEDNESDAY THE TWENTYEIGHTH DAY OF OCTOBER
TWO THOUSAND AND FIFTEEN

PRESENT
HONOURABLE SRI JUSTICE A.V. SETHA SAI

WRIT PETITION NO. 32720 OF 2015

—

Between:

P. Siva Prasada Raju ... Petitioner

Vs.

The State of Andhra Pradesh
Represented by its Prl.Secretary,
Home Department,
Secretariat, Hyderabad & Ors. ... Respondents

Counsel for the Petitioner: Sri KVL Narasimha Rao

Counsel for the Respondents: GP for Home [AP]

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SETHA SAI

WRIT PETITION NO. 32720 OF 2015

ORDER:

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

“To declare the action of the respondents in non-granting of police protection for a period of seven days to cultivate the land situated in survey No. 285 of Garagaparru Gram Panchayat, Hamlet of Serregudem, Palakoderu Mandal, West Godavari district, which was protected by orders passed in OS.No. 433 of 1988 dated 11/11/1992 and orders passed in WP.No. 21896 of 2008 dated 17/2/2014 as illegal, arbitrary and violation of principles of natural justice and consequently to direct the respondents to grant police protection to the petitioner for a period of seven days to cultivate the land situated in sy.no. 285 of Garagaparru Gram Panchayat, hamlet of Serregudem, Palakoderu Mandal, West Godavari district to pass such other suitable orders as this court may deems fit and proper in the circumstances of the case.”

2. Heard Sri KVL Narasimha Rao, learned counsel for the petitioner and the learned Government Pleader for Home for the respondents.

3. When the matter is called, written instructions dated 15/10/2015 furnished by the Sub-Inspector of Police, Palakoderu Police Station, West Godavari district have been placed by the learned Government Pleader for Home for the respondents.

3. The written instructions, reads as under:

"It is submitted that on 29/5/1972 the Gram Panchayat Garagaparru village, Palakoderu Mandal, West Godavari district, Andhra Pradesh granted "tree patta" to the petitioner herein for plantation of coconut trees and lime trees in Ayyapparaju Cheruvu POramboke measuring about Ac:7-16 cents situated in RS.No. 285 of Serregudem hamlet of Garagaparru village. The Gram Panchayat, Garagaparru passed a resolution to the said effect and allotted the said land subject to certain terms and conditions including one for payment of Rs.4-00 per year for each tree towards coconut tree and Rs.2-00 per year for each tree towards lime tree. Since then the said land is in possession and enjoyment of the petitioner herein.

It is further submitted that the petitioner herein never approached Palakoderu Police Station seeking police protection for cultivation of the land situated in R.S.No.285 of Serregudem hamlet of Garagaparru village. Hence, the Palakoderu Police did not provide any protection/police babdobust to the petitioner herein for cultivation in the said "tree patta" land.

It is further submitted that as and when the petitioner herein approach the police, the police can take steps as per law to provide police protection/police bandobust for his request."

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

5. In view of the above, the writ petition is disposed of by recording the above written instructions furnished by the

Sub-Inspector of Police, Palakoderu Police Station,

West Godavari district. No costs.

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

JUSTICE A.V.SESHA SAI

28/10/2015
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HONOURABLE SRI JUSTICE A.V. SETHA SAI

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WRIT PETITION NO. 32720 OF 2015

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