

HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.32698 of 2015

ORDER:

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

“to issue writ of Mandamus declaring the action of respondents 2 and 3 in not providing police protection to the lives and property of the petitioners on their complaint/representation dated 28.09.2015, as illegal and arbitrary.”

2. Heard Sri Mohd. Moin Ahmed Quadri, learned counsel for the petitioner and learned Government Pleader for Home for respondents, apart from perusing the material available before this Court.

3. Today, when the matter is called, written instructions, dated 26.10.2015 furnished by the Sub-Inspector of Police, Madhapur PS, Cyberabad Commissionerate have been placed on record by the learned Government Pleader for Home and the said instructions read as under:

“.....I humbly submit that if the petitioner approaches this respondent police station and lodge any fresh complaint or the complaint dt.28.09.2015, certainly action will be taken after conducting preliminary enquiry into the complaint and in accordance with law.

I humbly submit that in the instant case, the petitioners seek police protection to the subject lands in question. Unless and until, there are any specific directions to the respondent police to provide police protection to the disputed lands in question, the respondent police cannot be taken independent decision on the representation of the petitioner herein.

I submit that if the petitioners make the persons who alleged to have been interfering with the subject lands in question as proper party respondents to this writ petition, the real facts would have come to light. In fact, it appears that the petitioners herein are trying to involve the respondent police into their personal civil disputes. Police protection cannot be given to the lands unless and until there are any specific directions from any of the Hon'ble Courts to do so.”

4. On noticing the above said instructions, learned counsel for

the petitioner has requested this Court to record the said instructions and dispose of the writ petition.

5. In view of the above, the writ petition stands disposed of, by recording the written instructions, dated 26.10.2015 furnished by the Sub-Inspector of Police, Madhapur Police Station, Cyberabad Commissionerate City, with liberty to the petitioners to file a fresh complaint before the police. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. There shall be no order as to costs.

A.V. SESA SAI, J

Date: 29.10.2015
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HON'BLE SRI JUSTICE A.V. SESA SAI

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Date: 29.10.2015

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