

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.36231 OF 2015

ORDER:

The petitioner in this case is the International Missions India (IMI), represented by its President Bongani Sadaiah Goud, and the address shown is House No.1-3-5, India Mission Compound, Bhongir, Nalgonda District.

The prayer in this writ petition is in the following terms:

“For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the police i.e. respondent No.3 in preventing and restraining the petitioner from discharging his duties and responsibilities as Correspondent to India Mission School, Bhongir, Nalgonda District and consequently not considering the representation letter dated 24-10-2015 and 29-10-2015 to provide police protection to India Mission School, Bhongir as illegal, arbitrary and contrary to law and to pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.”

The pleadings as set out in the affidavit filed in support of this writ petition are not relatable to the International Missions India but to Bongani Sadaiah Goud himself, who claims to be its President. According to the affidavit averments, one Sanavala Judah, the fourth respondent, was interfering with the functioning of the school run by the petitioner in the name of 'India Mission School' at Bhongir, Nalgonda District, and the police authorities were preventing and restraining Bongani Sadaiah Goud from discharging his duties and responsibilities as the Correspondent of the said school. It was further averred that the police authorities failed to consider the representations made by Bongani Sadaiah Goud on 24.10.2015 and 29.10.2015, whereby he sought police protection.

The Inspector of Police and Station House Officer, Bhongir Town Police Station, Nalgonda District, filed a counter-affidavit stating that in the months of September and October, 2015, the petitioner informed the police authorities that the fourth respondent was creating a nuisance and at the intervention of police, the

fourth respondent left the place on both the occasions. He further stated that on 24.10.2015, the petitioner gave a representation stating that the fourth respondent had been removed from the post of Correspondent but he was continuing to create trouble and therefore sought police protection. Another representation was stated to have been given on 29.10.2015 requesting the Station House Officer to caution the fourth respondent not to enter the school premises and create nuisance. The Inspector of Police stated that on 26.10.2015, two police constables were deployed to the school so as to maintain peace at the school premises on the reopening day. The petitioner and the fourth respondent were advised not to indulge in any illegal activities and to settle the matter amicably. Both parties were also requested to maintain law and order. He further stated that upon a complaint made by the Accountant of India Mission School, Bhongir Town, Crime No.200 of 2015 was registered under Sections 324 and 506 I.P.C. against the fourth respondent on 04.09.2015. After due investigation, a charge sheet was laid before the learned Additional Judicial First Class Magistrate, Bhongir, on 30.09.2015. The Inspector of Police further stated that there were quarrels between two rival groups over the management of the school and the police authorities were only interfering and advising them as and when an occasion arose so as to prevent a law and order situation.

The Inspector of Police categorically denied the allegation of Bongani Sadaiah Goud that the police authorities were preventing and restraining him from discharging his duties and responsibilities as a Correspondent of the school. As regards the non-consideration of the representations dated 24.10.2015 and 29.10.2015, the Inspector of Police stated that unless there is a court order or direction, such protection cannot be afforded.

No reply-affidavit was filed rebutting the counter-affidavit averments.

In the light of the stand taken by the police authorities that they have not interfered with the functioning of Bongani Sadaiah Goud in the alleged discharge of his duties and responsibilities as a Correspondent of the school and as no material is placed before this Court on the basis of which police protection can be directed, interference is not warranted in this case.

The writ petition is accordingly dismissed duly taking on record the stand of the police authorities. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

2nd December, 2015

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