

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

WRIT PETITION No.31552 OF 2011

Between:

Vonipenta Fousia Tasneem

... Petitioner

and

The Station House Officer,
I-Town Police Station,
Proddatur, Kadapa District, and others.

... Respondents

DATE OF JUDGMENT PRONOUNCEMENT : 3rd August, 2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE SANJAY KUMAR

1. Whether Reporters of Local newspapers may be allowed to see the judgment? Yes/No
2. Whether the copies of judgment may be marked to Law Reporters/Journals Yes/No
3. Whether their Lordship wishes to see the fair copy of the judgment? Yes/No

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.31552 OF 2011

ORDER

The grievance of the petitioner in this case was that the police authorities were not allowing her to raise a wall around her land admeasuring Ac.0.18 cents in Sy.No.542/1, Rameswaram Village, Proddatur Mandal, Kadapa District, and were allowing Somulavaripalli Gram Panchayat, Kadapa District, to lay a road through her land.

In the body of the affidavit filed in support of the petition, the petitioner however alleged that the third respondent, Shaik Gouse Peer, was making efforts to lay the road through her land.

Despite service of notice, the third respondent did not choose to enter appearance before this Court either in person or through counsel.

The second respondent Gram Panchayat filed a counter, through the Panchayat Secretary, wherein it stated that it had never obstructed the construction of a wall by the petitioner. The dispute was stated to be between the petitioner and the third respondent and the Gram Panchayat stated that it was completely unconnected thereto. It further stated that there was no proposal to lay a road in the land belonging to the petitioner.

The Sub-Inspector of Police, Proddatur I-Town Police Station, Kadapa District, furnished written instructions dated 27.07.2015 to the office of the learned Government Pleader for Home wherein he stated that the petitioner had filed O.S.No.201 of 2011 before the learned Principal Junior Civil Judge, Proddatur, against the third respondent and others for a permanent injunction restraining them and their men from interfering with her possession over the plaint schedule property, which is the same as the property mentioned in the prayer in this writ petition. The said suit was decreed by the trial Court on 23.02.2013 and copies of the judgment and decree are placed on record. The Sub-Inspector of Police stated that in the light of the decree passed by the competent civil court, the police had nothing to do with the matter as they were not directed by the said competent civil court to provide protection to the petitioner.

In the light of the afore-stated facts, it is for the petitioner to take steps against the third respondent and his men in accordance with law in the event they act in violation of the injunction decree obtained by her, if the same is still subsisting.

The stand of the police authorities and the Gram Panchayat is taken on record and in the light thereof, no interference is called for in this writ petition.

The writ petition is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

3rd August, 2015

PGS