

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.14958 of 2015

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ORDER:

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

“to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the 3rd respondent in providing police protection to the petitioner land in an extent of AC 3.19 cents in R.S.No.1373/1 & 1445/2 of Chintalapudi Village, Chintalapudi Mandal, West Godavari District is illegal, arbitrary and violative of Article 21 & 300A of Constitution of India.”

2. The complaint in the present writ petition is inaction on the part of the third respondent/Station House Officer, Chintalapudi Police Station, Chintalapudi Mandal, West Godavari District in providing police protection to the petitioner's land in an extent of Ac.3-19 cents in R.S.No.1373/1 & 1445/2 of Chintalapudi Village, Chintalapudi Mandal, West Godavari District.

3. Complaining interference of the respondents 4 to 10 in respect of the said property, petitioner herein lodged complaint with the third respondent on 11.05.2015. It is the case of the petitioner herein that even though there is a decree passed in his favour in O.S.No.211 of 2004, on the file of the Court of the Junior Civil Judge, Chintalapudi, the third respondent without verifying the same, simply advised the petitioner to approach the civil Court. According to the learned counsel for the petitioner, the said action is highly illegal and arbitrary and is in violation of the provisions of the Code of Civil Procedure.

4. On the contrary, it is submitted by the learned Government Pleader that it is always open for the petitioner herein to lodge a private complaint before the jurisdictional magistrate, in the facts and circumstances of the case.

5. In view of the above submissions, writ petition is disposed of, leaving it open for the petitioner herein to approach the jurisdictional magistrate by way of filing a private complaint, if he is so advised. As a sequel, pending miscellaneous petitions,

if any, shall stand closed. No costs.

A.V.SESHA SAI, J

Date: 03.08.2015

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W.P.No.14958 of 2015

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Dated 03rd August, 2015

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.14958 of 2015

Date: 03rd August, 2015

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Between:

Akkiraju Venkata Jogi Raju,

S/o. Late Venkata Jaganmohan Rao,

Aged about 50 years, Occ: Agriculturist,

Chintalapudi (V & M), West Godavari District.

... Petitioner

and

The Principal Secretary to Government,

Home Department, State of Andhra Pradesh,

Secretariat Buildings, Hyderabad and four others.

... Respondents

DATE OF JUDGMENT PRONOUNCED: 03rd August, 2015

SUBMITTED FOR APPROVAL: 03rd August, 2015

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THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

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 wish to see the

Fair copy of the judgment? Yes/No