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

WRIT PETITION No.22002 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 to declare the action of Respondents in seeking to interfere with the possession and enjoyment of petitioner over the land admeasuring Ac.5-15 cents in Sy.No.740-3 situated at Budili village, Gorantla Mandal, Ananthapur District, as illegal and arbitrary, and to consequently direct the Respondents 2 & 3 to consider the representation dt.4.7.2015 made by petitioner and to provide police protection 10 the petitioner immediately."*

Heard Sri N. Ranga Reddy, learned counsel for the petitioner and learned Government Pleader for Home for respondents, apart from perusing the material available before this Court.

Today, when the matter is called, written instructions, dated 28-07-2015 furnished by the Sub-Inspector of Police, Gorantla Police Station, Anantapuram District have been placed on record by the learned Government Pleader for Home and the said instructions read as under:

> *"It is respectfully submitted that, the above writ petition has been filed by D.Fakruddin seeking to direct the respondents not to interfere with the possession and enjoyment of the petitioner over the land admeasuring Ac.5.15 cents in Sy.No. 740-3, situated at Budili Village, Gorantla Mandal, Anantapuram District and consequently direct the respondents 2 and 3 to consider the representation dated:4.7.2015 made by the petitioner and to provide police protection to the petitioner.*
>
> *It is respectfully submitted that the contention of the petitioner that the 3rd respondent-Station House Officer,*

Gorantla police station, Anantapuram District interfered with the possession and enjoyment of the petitioner over the land admeasuring Ac. 5.15 cents in Sy.No.740-3, situated at Budili Village, Gorantla Mandal, Anantapuram District is false, hence denied. It is submitted that this respondent never interfered with the land of the petitioner as alleged by him.

It is submitted that the petitioner herein got issued a legal notice dated:4.7.2015 through his counsel Sri. P.G.Vittal and P.G. Siddartha, Advocates to the Tahsildar, Gorantla Mandal, and Station House Officer, Gorantla police station, Anantapuram District, Deputy Superintendent of Police, Kadiri and the Revenue Divisional Officer, Penukonda, stating that the petitioner herein is the absolute owner of the above said land When one Mala Obulamma, revenue and police authority tried to interfere in the said 'and the petitioner filed W.P.No. 17020/2013 and the Hon'ble High Court by order dated 18.6.2013 in WPMP No. 20641/2013 granted interim orders not to interfere with the above said disputed land pending before the Joint Collector, Anantapur vide Rc.E/2/4890/98 dated: 10.102012. In the legal notice it is stated to provide police protection to the petitioner's land by restraining the said Obulamma and others not to interfere in the land of the petitioner herein.

It is further submitted that as per the contents of the affidavit and the material papers filed in support of the writ petition it revealed that the District Collector, Anantapur addressed a letter to the Tahsildar, Gorantla mandal vide Rc.No.E2/4890/98 dated 6.7.2012 stating that the petitioner filed a representation requesting to provide police protection to the above said land. It is submitted that earlier as per the letter of the Tahsildar, Gorantla mandal, the then Sub Inspector of Police provided protection to the petitioner's land.

It is submitted that the land of the petitioner herein is under dispute before the Joint Collector Court, Anantapuram and it is for the revenue officials to protect the petitioner's land.

Moreover the land of the petitioner herein was under dispute in O.S.No. 147/2008 on the file of the Hon'ble Junior Civil Judge Court, Penugonda.

It is submitted that the petitioner herein instead of approaching the Hon'ble Civil Court or revenue official filed the above writ petition with baseless allegations. The petitioner unnecessarily involving the police into said litigation."

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.

In view of the above, the writ petition stands disposed of, by

recording the written instructions, dated 28-07-2015 furnished by the Sub-Inspector of Police, Gorantla Police Station, Anantapuram District.

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. SESHA SAI, J

August 17, 2015

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

WRIT PETITION No.22002 of 2015

August 17, 2015

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