

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

WRIT PETITION NO. 23598 OF 2015

Between:

A.M. Suresh Kumar ... Petitioner

V/s.

The State of Telangana,
Represented by its Prl.Secretary,
Home Department,
Secretariat, Hyderabad & Ors. ... Respondents

DATE OF JUDGMENT PRONOUNCED : 12/08/2015

SUBMITTED FOR APPROVAL

HONOURABLE SRI JUSTICE A.V. SESA SAI

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| 1. Whether Reports 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 his Lordship wish to see the fair | |

Copy of the judgment ?

Yes/No

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

WEDNESDAY THE TWELVETH DAY OF AUGUST
TWO THOUSAND AND FIFTEEN

PRESENT
HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 23598 OF 2015

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Between:

A.M. Suresh Kumar ... Petitioner

V/s.

The State of Telangana,
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Home Department,
Secretariat, Hyderabad & Ors. ... Respondents

Counsel for the Petitioner: Sri C. Hari Preeth

Counsel for the Respondents: GP for Home [TG]

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 23598 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 declare the inaction of Respondents 1 to 3 in failing to consider the request of the petitioner for grant of police protection vide representation, dated 28/04/2015 pursuant to the orders in WP.No. 19455 of 2012 dated 11/11/2013 is illegal, arbitrary and violation of Article 21 of the Constitution of India and consequently to direct the Respondents 1 to 3 to consider and grant police protection to the petitioner on the representation of the petitioner, dated 28/04/2015 as per the directions granted in WP.No. 19455 of 2012, dated 11/11/2013 and to pass such other suitable orders as this court may deem fit and proper in the circumstances of the case.

2. When the matter is called today, the learned Government Pleader for Home [TG] has submitted the written instructions furnished by the Sub-Inspector of Police, Keesara Police Station. The written instruction reads as hereunder:

This Hon'ble court disposed of the above writ petition by its order dated 11/11/2013. The operative portion of the order reads as follows:

"The threat perception of the danger to the petitioner's life has to be examined by the second respondent and not by this court in proceedings under Article 226 of the Constitution of India. It would be wholly inappropriate for this court,

therefore, to adjudicate on whether or not the petitioner's life is under threat. As the petitioner has submitted a representation to the second respondent more than six months ago, ends of justice would be met if the second respondent is directed to consider the petitioner's representation dated 14/5/2012 in accordance with law, pass orders thereupon and communicate the same to the petitioner at the earliest in any event not later than one month from the date of receipt of a copy of this order."

Pursuant to the orders of this Hon'ble court passed in WP.No. 19455 of 2012 dated 11/11/2013, the petitioner herein again submitted a representation dated 28/4/2015 to the Commissioner of Police, Cyberabad stating that on account of one civil dispute between his family and S.Ramachandra Rao, son of S.Rangaiah, r/o. ECIL colony and consequential decree of permanent injunction issued by the Hon'ble court vide order dated 11/11/2013 and his life has been pushed into risk and his opponent is threatening him and his family even till date. The court orders are still in force. The said Ramachander Rao is harassing him with his money and muscle power and giving life threats right from the beginning and hence he requested police protection from him.

It is submitted that in the enquiry it is revealed that there are civil disputes between the petitioner as well as Mr.S.Ramachander Rao against him the petitioner filed a civil suit and got judgment and decree in his favour.

I humbly submit that the dispute of the petitioner as well as Mr.Ramchander Rao is purely civil in nature.
To settle his personal scores, the petitioner requires police protection.

I humbly submit that it is always open for the

petitioner to file an Execution Petition before the concerned Hon'ble court for implementation of judgment and decree in his favour.

I humbly submit that if the petitioner approaches this respondent with a proper representation seeking police protection, the same will be considered after verifying the records and documents.

Since the dispute of the petitioner herein as well as the fourth respondent herein is purely civil disputes and the petitioner has to avail alternative remedies instead of seeking police protection.

3. On noticing the said written instruction, it is represented by the learned counsel for the petitioner to dispose of the writ petition by recording the reasons mentioned in the written instruction.

4. In view of the above, by recording the reasons mentioned in the written instruction, the writ petition is disposed of. No costs.

5. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE A.V.SESHA SAI

12/08/2015
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HONOURABLE SRI JUSTICE A.V. SETHA SAI

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