

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.35092 of 2015

ORDER:

The petitioner was aggrieved by the alleged inaction on the part of the authorities in considering his representation dated 19.10.2015 for grant of police aid. He seeks police aid in connection with a mining lease granted in his favour over an extent of land in Survey No.1/1 of Maddinayanapalli Village, Pakala Mandal, Chittoor District. According to him, when he tried to lay an approach road to the quarry lease area, there was opposition by an unsuccessful rival applicant for the subject quarry lease.

Sri Koneti Raja Reddy, learned counsel for the petitioner, placed reliance on the proceedings dated 27.08.2015 of the District Collector, Chittoor, whereby the Tahsildar, Pakala, was asked to take action at his level using his magisterial powers, if necessary, in the context of the petitioner's grievance.

The Tahsildar, Pakala Mandal, filed a counter-affidavit before this Court referring to the fact that the unsuccessful rival applicant for the subject quarry lease had filed suits before the competent civil Court, but no relief was granted therein to him. He also stated that the said person was instigating villagers to obstruct the petitioner in his quarry operations. He accordingly prayed that this Court should direct the police authorities to give protection to the petitioner enabling him to start his quarrying operations and also for laying of an approach road.

The Sub Inspector of Police, Pakala Police Station, Chittoor District, furnished written instructions dated 03.11.2015 to the office of the learned Government Pleader for Home wherein he stated that the police authorities did, in fact, provide police protection to the petitioner on 14.10.2015. He further stated that when an obstruction was caused to the petitioner's quarrying operations, the persons involved were arrested in Crime Nos.97 and 99 of 2015 registered on the file of Pakala Police Station. These cases were stated to be pending investigation.

In the light of the aforesaid facts, as it is the apprehension of the petitioner that his lawful operations would be interfered with by local elements and as the revenue and police authorities support his case, it shall be open to him to inform the

police authorities concerned in the event he apprehends any illegal activity in relation to his quarrying operations or laying of an approach road. If such information is given, the police authorities shall exercise powers under Section 149 Cr.P.C. and take appropriate action in the matter, including giving protection to the petitioner's lawful activities in connection with his quarry lease.

The writ petition is disposed of with the above directions.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

Date:12.11.2015

Note: Furnish C.C. by 18.11.2015.

(B/o)

GJ