

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.7787 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the action of the third respondent in not granting police protection to the petitioner's Society for supplying water to the farmers, despite receipt of the petitioner's complaint dated 04.02.2016, as arbitrary and illegal and contrary to the orders passed by this Hon'ble Court passed in W.P.M.P.No.36366 of 2015 in W.P.No.28041 of 2015, and consequently to direct the third respondent to provide police protection to the petitioner Society.

Heard and perused the material.

Learned counsel for the petitioner submits that the petitioner is a Society, registered under the provisions of the A.P.Societies Registration Act, and its main objective is to supply water for irrigation purposes through pipeline from pump house, to the ayacutdars/farmers. He submits that on the earlier occasion, when the respondents 3 and 4 are interfering with the day to day affairs of the petitioner Society, the petitioner filed a writ petition being W.P.No.28041 of 2015 and this Hon'ble Court vide order dated 01.09.2015 passed an interim direction to the respondents not to interfere with the management of the petitioner society. However, the respondents 4 to 6 are interfering with the affairs of the petitioner Society and as such, the petitioner made a representation, dated 04.02.2016, to the third respondent seeking police protection to the petitioner Society. Hence, he filed the present writ petition seeking a direction to the third respondent to provide police protection to the petitioner Society to supply water to the farmers.

The third respondent filed counter affidavit stating that the petitioner has lodged a complaint and a case is registered for the offences under Sections 427, 447, 506 read with Section 34 IPC and the third respondent is investigating the matter. It further reveals that the petitioner is in the habit of filing writ petitions seeking remedies, which are contrary to the earlier writ petitions. In the

present writ petition, the petitioner seeks police protection and in the earlier writ petition, the petitioner sought a direction to the third respondent not to interfere with the affairs of the petitioner Society.

On hearing the submissions on both sides and on perusing the counter affidavit, this Court is of the view that the writ petition is not maintainable in view of the earlier orders passed by this Court in another writ petition and that the petitioner has also not raised any valid grounds to provide police protection to the petitioner Society and as such, the writ petition is not maintainable and is liable to be dismissed.

The writ petition is accordingly dismissed. Consequently, miscellaneous petitions, if any shall also stand disposed of.

08.11.2016
pln



JUSTICE RAJA ELANGO