

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36035 OF 2016

ORDER:

This writ petition is filed seeking to issue a writ or order more particularly, one in the nature of writ of *mandamus* to declare the action of respondent No.3 in not providing police protection to the petitioner's lands situated in Sy.No.878/AA to an extent of Ac.1.20 guntas of Aitipamula Village, Kattangur Mandal, Nalgonda District in spite of the judgment and decree, dated 21.6.2006, passed in O.S.No.35 of 2004 on the file of the Junior Civil Judge at Nakrekal including the representations filed by the petitioner on 1.2.2015 and 26.7.2016 as illegal and arbitrary and consequently, to direct respondent No.3 to provide police protection to the petitioner's lands by taking action against respondent No.4 and his henchmen.

2. Heard and perused the material available on record.
3. Case of the petitioner is that he filed O.S.No.35 of 2004 against respondent No.4 and others for perpetual injunction and the same was decreed on 21.6.2006. In spite of the same, respondent No.4 and others forcibly entered into his land on 31.1.2015 and illegally burnt the trees therein by removing the boundary stones and are occupying the same. So, he made a representation to respondent No.3 on 1.2.2015. As no steps were taken by him, he made another representation on 26.7.2016, but till date, no action is taken to dispose of the said representation.

4. Learned Assistant Government Pleader for Home informed this Court that when the petitioner has obtained a decree from a competent Court, he has to seek police protection before the Court which granted the decree and without doing so, he approached this Court.

5. Considering all the facts and circumstances of the case, this Court is of the view that since the petitioner has already given a representation to respondent No.3, respondent No.3 is hereby directed to consider the representation, dated 26.7.2016, of the petitioner and dispose of the same in accordance with law as expeditiously as possible, preferably, within a period of one month from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

25.10.2016
AMD

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Date: 25.10.2016

AMD