

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42409 of 2016

ORDER:

The present writ petition is filed by the petitioners seeking to declare the action of the 2nd respondent in not providing necessary police protection by implementing the directions of the 4th respondent in orders, dated 18.11.2016, by preventing the unofficial respondents from interfering with the use of land of an extent of Acs.4.86 cents of Badhinehal village, Kurnool District, by the petitioners, by considering the representation of the petitioners, dated 29.11.2016, as illegal and arbitrary and consequently, direct the 2nd respondent to provide police protection.

Heard and perused the material available on record.

The case of the petitioners is that since there is no burial ground for their community people to bury the dead bodies, they made a representation to the 3rd respondent to allocate the subject land and on the instructions, the 5th respondent after due enquiry, they cancelled the pattas issued to the unofficial respondents in the subject land since the said land is not suitable for cultivation and provided alternative land. The unofficial respondents preferred an appeal before the 4th respondent, upon which the 4th respondent set aside the orders of the 5th respondent. The petitioners approached the 3rd respondent and the 3rd respondent sent letter, dated 15.11.2016, to the 4th respondent to take necessary action, and the 4th respondent addressed letter dated 18.11.2016 to the 5th respondent to sent a report with regard to the above land and permit the petitioners to use the land as burial ground till then. The grievance of the petitioners is that when they went to cremate a dead body in the subject land, the unofficial respondents

along with their henchmen caused havoc and obstructed the petitioners. Therefore, the petitioners filed a representation, dated 29.11.2016, to the 2nd respondent to provide police protection, but no action is taken by the 2nd respondent on the said representation.

Considering the facts and circumstances of the case and also the grievance of the petitioners, the 2nd respondent is directed to consider the representation, dated 29.11.2016, made by the petitioners and pass appropriate orders in accordance with law.

Accordingly, the Writ Petition is disposed of. No order as to costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

December 06, 2016.
KTL



RAJA ELANGO, J