

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.26671 of 2006

ORDER:

The challenge in the present writ petition is to the action of the 3rd respondent – Station House Officer, Devipatnam Police Station, Devipatnam, East Godavari District in not taking any action pursuant to the proceedings of the Mandal Revenue Officer (Tahasildar), Devipatnam, East Godavari District vide Ref.No. (B)120/2006, dated 14-11-2006.

Heard Sri K. Venkatesh, learned counsel for the petitioners and learned Government Pleaders for Social Welfare and Home for respondents 1 to 4, apart from perusing the material available before this Court. Despite service of notice none appears for the 5th respondent.

According to the petitioners, the petitioners are the brothers and absolute owners and possessors of the land admeasuring 3.28 Hectors in Sy.No.99/1 of Gubbalampadu village, H/o.Chinaramanayyapeta Gram Panchayat, Devipatnam mandal, East Godavari District and the petitioners herein are the non-tribals. The Mandal Revenue Officer, Devipatnam vide reference No.(B)120/2006, dated 14-11-2006 requested the Station House Officer, Devipatnam to provide police protection for the life and the lands of the petitioners and to register a case and to take criminal action against the persons responsible.

It is the case of the petitioners herein that pursuant to the

said request made by the Mandal Revenue Officer on 14-11-2006 the petitioners submitted representations, dated 06-12-2006 and 08-12-2006 to the 3rd respondent – Station House Officer, requesting to take appropriate action in terms of the letter, dated 14-11-2006 addressed by the Tahsildar but no action has been taken.

Though the Court issued *rule nisi* as long back as on 22-01-2007 no counter-affidavit has been filed by the respondents herein, disputing the correctness of the averments and the allegations made in the affidavit filed in support of the writ petition.

In view of the same and having regard to the nature of controversy, this Court deems it appropriate to dispose of the writ petition with a direction to the 3rd respondent – Station House Officer to take appropriate action in terms of the letter vide ref.No. (B)120/2006, dated 14-11-2006 addressed by Mandal Revenue Officer, Devipatnam to the Station House Officer, Devipatnam Police Station.

For the aforesaid reasons, the writ petition is disposed of, directing the 3rd respondent herein to take appropriate action on the representations dated 06-12-2006 and 08-12-2006 said to have been submitted by the petitioners herein, within a period of three (3) months from the date of receipt of a copy of this order. There shall be no order as to costs.

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

February 01, 2016
PN

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