

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 20529 of 2016

ORDER :

The present Writ Petition came to be filed seeking to issue a writ of *mandamus* declaring the inaction of respondents 2 to 4 in considering the representation of the petitioner dated 05.05.2016 seeking police protection in view of the order of this Court in Writ Petition No.1825 of 2016, dated 22.01.2016, as illegal and arbitrary, and consequently direct respondents 2 to 4 to consider representation of the petitioner dated 05.05.2016 and to provide police protection to him.

2. Heard the learned counsel for the petitioner and the Assistant Government Pleader for Home for the State of Andhra Pradesh appearing for respondents. At the request of both the counsel, the Writ Petition itself is taken up for disposal at the stage of admission.

3. The averments in the affidavit filed in support of the Writ Petition would go to show that the petitioner is in possession and enjoyment of house site bearing Plot No.10 in 10th ward situated in S.C. colony, Holagunda village & mandal, Kurnool district. Government assigned the said land admeasuring Ac.0.03 cents to him with clear

boundaries in the year 2006, and thereafter, sanctioned a house under the Indiramma Housing Scheme. It is his case that basement was constructed in the said plot, but house construction could not be completed due to domestic reasons. It is his case that when the local Village Revenue Assistant started created hurdles in form or the other, the petitioner filed Writ Petition No.1825 of 2016 wherein this Court, vide interim order dated 22.01.2016, directed the respondents therein not to dispossess the petitioner from the land in question without following due process of law. After obtaining the said order, the petitioner made representation dated 05.05.2016 to respondent No.3 to provide police protection for the proposed construction of his house in the said plot.

4. The learned Assistant Government Pleader appearing for respondents strongly opposed the same and contended that under the guise of the interim order dated 22.01.2016 in Writ Petition No.1825 of 2016, the petitioner cannot seek police protection, and that there must be strong reasons to provide police protection.

5. As seen from the material on record, earlier the petitioner approached this Court by way of filing Writ Petition No.1825 of 2016 seeking to declare the action of

revenue officials in trying to dispossess him from the land in question as illegal and arbitrary. Under the guise of the interim order, the petitioner made the present representation dated 05.05.2016 to police officials to provide police protection stating that some third persons are trying to interfere with his possession when he is proposing to take up house construction. The affidavit filed in support of the Writ Petition is silent as to who are the said persons. Apart from that, it has to be noted that though the land was assigned in the year 2006, the petitioner kept quiet for a period of about 10 years without raising any construction. That being the position, giving police protection on mere asking does not arise. If really, there is any interference by third parties, the petitioner is always at liberty to avail the common law remedy. Hence, the present Writ Petition is liable to be rejected.

6. The Writ Petition is, accordingly, dismissed. Miscellaneous petitions pending, if any, in the Writ Petition shall stand closed in the light of this final order. No order as to costs.

C.PRAVEEN KUMAR, J

27.06.2016
DRK

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

W.P.No.20529 of 2016

27.06.2016