

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.34047 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 granting due protection so as to secure compliance with the ad-interim injunction order, dated 24.8.2016, passed by the Court of the Principal Junior Civil Judge, Mancherial vide I.A.No.413 of 2016 in O.S.No.133 of 2016 in respect of Shop No.136 situated at Railway Station Road, Mancherial, Adilabad District as illegal, arbitrary and contrary to law and consequently, to direct the respondents to provide adequate police protection so as to secure compliance with the said ad-interim injunction order.

2. Heard and perused the material available on record.
3. Case of the petitioner is that he filed O.S.No.133 of 2016 on the file of the Principal Junior Civil Judge, Mancherial against one Racharla Uma for permanent injunction in respect of shop No.136 situated at Railway Station Road, Mancherial, Adilabad District and obtained ad-interim injunction on 24.8.2016. In spite of the same, Racharla Uma and three others damaged the shop, dismantled the entire structure and threatened the wife of the petitioner. So, on 31.8.2016, the petitioner gave a report to respondent No.3 seeking police protection, but the police did not take any action against his complaint. Hence, he made a representation on 10.9.2016 to respondent No.3 seeking police

protection but till date, respondent No.3 has not taken any steps to dispose of the said representation.

4. Learned Assistant Government Pleader for Home informed this Court that when the petitioner has obtained an order of ad-interim injunction, he has to seek police protection before the Court which granted ad-interim injunction 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 10.9.2016, 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

17.10.2016
AMD

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Date: 17.10.2016

AMD