

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.35477 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed by the petitioner to declare the action of the respondents 2 and 3 in not providing protection to his lands, pursuant to the request of the Tahsildar, Dichpally Mandal in letter, dated 13.05.2016, and also the representation made by the petitioner on 01.06.2016, to the 2nd respondent, as illegal and arbitrary and consequently, direct the respondents to provide necessary protection to the lands of the petitioner.

Heard and perused the material available on record.

The case in brief is that the petitioner is the owner of land of an extent of Acs.3.28 guntas in Sy.No.345 of Nadpally Shivar, Dichpally Mandal, Nizamabad District. He plotted the said land into house plots and sold to various individuals from time to time. While so, when one Dasari Anjaiah and his sons and Mohd. Iqbal Khan and others, who are the adjacent land owners of the petitioner, are trying to encroach the land of the petitioner and also the plots sold by him, the petitioner got his land and the plots, sold by him, surveyed and fixed the boundaries and made an application to the Tahsildar to give police protection to his land to prevent any law & order problem. Basing on the same, the Tahsildar requested the 1st respondent to give police protection to prevent any law & order problem. Thereafter also, the said persons are trying to encroach the land of the petitioner and others and threatening them. Therefore, the petitioner and others filed representations to the

2nd respondent to give protection to their land. But, there is no response from the respondents. Hence, this writ petition.

After perusing the material available on record, this Court is of the view that if there is any law & order problem in the area within the limits of the 1st respondent, he is at liberty to take appropriate steps to protect the persons and also the properties of the persons concerned. Hence, there is no necessity of any specific direction from this Court. However, if the petitioner is aggrieved over any of the action or apprehends any danger in the hands of any particular person, he is at liberty to file a complaint before the 1st respondent against that person; and any such complaint is filed by the petitioner, the 1st respondent shall take action in accordance with law.

With the above directions, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

October 21, 2016.
KTL

