

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.45162 of 2016

ORDER:

This writ petition is filed seeking to declare the inaction of respondents 2 & 3 in not providing police protection to the petitioners as against respondents 4 & 5 in spite of judgment and decree vide O.S.No.114 of 2016, dated 11.08.2016, on the file of the Principal Junior Civil Judge, Kovur, granting permanent injunction in favour of the petitioners and against respondents 4 & 5 restraining them from interfering with the suit schedule property of the petitioners admeasuring to an extent of Ac. 1.05 cents, in Survey No.1156, situated at Ponnepudipeddapalem Village, Vidavaluru Mandal, SPSR Nellore District, as illegal and arbitrary and consequently direct respondents 2 & 3 to provide police protection to the petitioners pertaining to suit schedule property.

Heard and perused the material available on record.

The case of the petitioners is that the petitioners are the absolute owners and possessors of the land admeasuring to an extent of Ac. 1.05 cents in Survey No.1156, situated at Ponnepudi Peddapalem, Vidavalur Mandal, SPSR Nellore District and that when respondents 4 & 5 were interfering with the possession of the petitioners, then the petitioners filed O.S.No.114 of 2016, on the file of the Principal Junior Civil Judge, Kovur, and obtained decree of permanent injunction against the petitioners vide order, dated 11.08.2016. The main grievance of the petitioners is that respondents 4 & 5 are interfering with the possession of the petitioners even though the petitioners have obtained the decree of permanent injunction. The petitioners made representations to

respondents 2 & 3, dated 29.10.2016 and 14.12.2016, to grant police protection to the petitioners to protect their property and life and liberty, but respondents 2 & 3 have not taken any action against the trespassers.

Considering the grievance of the petitioners, respondents 2 & 3 are directed to consider the representations, dated 29.10.2016 and 14.12.2016, of the petitioners and it is left open to respondents 2 & 3 to give police protection to the petitioners in respect of their subject property, if there is any necessity.

RAJA ELANGO, J

Date: 26th December, 2016

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