

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 36634 of 2015

ORDER:

The prayer of the petitioners in this case is as under:

“...that this Hon'ble Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ or Writs, Order or Direction, declaring the action of 2nd respondent in not protecting the life and property of the 1st petitioner who is a senior citizen and 2nd petitioner, despite the application dated 02.11.2015 along with CC Camera CDs and Photographs of the deadly life threatening attacks done by the Respondents 5 to 9 along with their henchmen on the petitioners as illegal, arbitrary, unconstitutional and Violative of Articles 14, 19, and particularly 21 and 300-A of the Constitution of India and Consequently direct the 2nd respondent to protect the life of the petitioners from respondents 5 to 9 and their henchmen by providing personal security to the Petitioners on payment of costs if any and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. The Station House Officer, Madapur Police Station, Cyberabad, filed a counter affidavit stating as under:

“8. It is respectfully submitted that the other allegations against the respondents police that they threatened, abused in filthy language and interfered with the civil dispute between the petitioners and the respondents 5 and others with regard to the above said property is false, hence denied. It is submitted that the respondents police never interfered with the property of the petitioners herein as alleged by them.

9. It is respectfully submitted that the case of the petitioners are that to provide protection to the petitioners and their property. After communication of the writ petition the Station House Officer, Madhapur police called the 5th respondent and enquired the matter and revealed that the property of the petitioners herein are under dispute before the Hon'ble Civil Court. Further the 5th respondent himself undertaken on 01.12.2015 and reduce the same in writing stating that he will not enter into the property of the petitioners herein from the date of filing of the case in the Hon'ble High Court and contesting the case legally.

10. It is further respectfully submitted that around the clock 24 hours, Patrolling B.C.7 belongs to Madhapur police station and Patrol Mobile-2 belongs to office of the Commissioner of Police, Cyberabad are patrolling the area and maintaining law and order to keep peace and tranquility and noticed that there was no threatening to the petitioners from the 5th respondent or anybody.”

3. In the light of the aforestated counter affidavit averments,

Dr. Muddu Vijay, learned counsel representing Aequitas Juris Law Firm, learned counsel for the petitioners, states that no adjudication is warranted independently on merits.

Recording the stand of the police authorities as set out supra, the Writ Petition is closed. Pending miscellaneous petitions, if any, shall also stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

February 10, 2016
Lmv