

**THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA
RAO**

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W.V.M.P.No.2771 of 2016 in W.P. No.23373 of 2016

And

W.P.No.23373 of 2016

ORDER:

Parties will be referred to as per their array in the Writ petition.

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2. Heard Sri C.V.L.N. Murthy, learned counsel for petitioner, learned Government Pleader for Home appearing for respondent Nos.1 to 3 and Sri K.V.Bhanu Prasad, learned counsel for 4th respondent.

3. Petitioner has filed this Writ Petition stating that he is a Pastor of Church established by a Society; that the Church is allegedly functioning from premises bearing No.8-3-191/252/A/1, Vengal Rao Nagar, Hyderabad; that 4th respondent allegedly attempted to evict the petitioner; the petitioner filed O.S.No.12 of 2015 before the Vacation Civil Judge, City Civil Court, Hyderabad seeking perpetual injunction against the 4th respondent and others; that the said Court passed a *status quo* order on 08-05-2015; and thereafter the petitioner and his family members were threatened with violence by 4th respondent and his associates and their belongings were thrown on the road.

Petitioner contends that he filed a complaint on 11-06-2016 in F.I.R.No.411 of 2016 under Sections 448, 427 r/w 34 I.P.C. and registered another F.I.R.No.408 of 2006 on the basis of prior complaint (which the petitioner gave on 26-05-2016 but was incorrectly shown as having been given on 10-06-2016). Petitioner contends that there is a threat to his life from the 4th respondent and his henchmen and respondent Nos.2 and 3 are not taking any action after filing the F.I.R. against the 4th respondent.

4. On 18-07-2016, this Court granted an interim direction to

3rd respondent to provide police protection to the petitioner for performing his obligation as Pastor appointed by the Society for development of EPHRATHA prayer house and also protection to the properties of the said Church, which belong to the Society.

5. W.V.M.P.No.2771 of 2016 is filed to vacate the said order by the 4th respondent.

6. Learned Government Pleader appearing for respondent Nos.1 to 3 states that charge sheet has been filed before the III Additional Chief Metropolitan Magistrate at Hyderabad with regard to F.I.R.No.411 of 2016 after completion of investigation.

7. Since the main grievance of the petitioner with regard to the action against 4th respondent is thus

redressed, the cause in the Writ Petition to that extent becomes infructuous.

8. As regards the claim of petitioner for police protection for his life is concerned, respondent Nos.2 and 3 shall consider the same keeping in mind the circumstances under which the petitioner is placed and take appropriate decision whether or not to give police protection to protect his life and that of his family members.

9. As regards the police aid to petitioner in respect of the property allegedly belonging to the Church which he represents, is concerned, since admittedly O.S.No.12 of 2015 (renumbered as O.S.No.410 of 2015) is pending before the II Senior Civil Judge, City Civil Court, Hyderabad, it is open to the petitioner to pursue the same and obtain appropriate relief from the said Civil Court.

10. Therefore the Writ Petition is disposed of directing the 2nd respondent to consider grant of police protection to the petitioner only in so far as the petitioner and his family's life is concerned. But this shall not extend to the petitioner for performing his duties as Pastor inside the subject premises. No costs.

11. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 02-08-2016

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