

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38429 of 2016

ORDER:

This writ petition is filed seeking to declare the inaction of respondents 2 & 3 on the representations given by the petitioner, as illegal and arbitrary, and consequently to direct respondents 2 & 3 to provide necessary police aid to implement the orders/decrees passed by the V Junior Civil Judge, City Civil Court, vide O.S.No.1321 of 2014, dated 17.09.2014, in respect of the property bearing H.No.13-6-825/1/A/1/A, in Survey No.68/P, in T.S.No.23 part, admeasuring 275 square yards, situated at Moghal Ka Nala, Mogal Nagar, Karwan, Hyderabad.

Heard and perused the material available on record.

The case of the petitioner is that the petitioner is the tenant of respondents 4 & 5 in respect of the subject property. On 17.07.2014, respondents 4 & 5 tried to dispossess the petitioner along with their henchmen, but failed in their nefarious attempt, with the intervention of local people. Thereafter, the petitioner reported the matter to the police station, but they did not register the case, treating it as civil in nature. So, the petitioner filed O.S.No.1321 of 2014, on the file of the V Junior Civil Judge, City Civil Court, Hyderabad, for injunction and the learned Civil Judge granted injunction restraining respondents 4 & 5 from interfering with his possession vide order, dated 17.09.2014. The main grievance of the petitioner is that respondents 4 & 5 are interfering with the possession and that on 24.10.2016, the petitioner made a representation to respondents 2 & 3 to implement the order passed in O.S.No.1321 of 2014, but till now, no action is taken on the representation of the petitioner.

Considering the facts and circumstances of the case, respondents 2 & 3 are directed to consider the representation, dated 24.10.2016, of the petitioner and it is left open to respondents 2 & 3 to give police protection to the petitioner in respect of the subject property, if there is any necessity.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 9th November, 2016

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