

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.28445 of 2012

ORDER:

The petitioner states to be a native of Kadiri Town, Anantapur District. He belongs to S.C. community. He is active in Trade Union issues and other social causes. There is a life threat to him from his rivals. When he was holding the post of State General Secretary of B.J.P (Dalith Morcha), some unidentified people attacked him with arms on 02.02.2004 and he escaped in that attack. His friend was murdered by the local faction leaders. He lodged a complaint in respect of the attack on him and submitted a representation on 17.08.2012 for providing Gunman/Personal Security Officers and when there was no response, the present writ petition was filed.

A counter affidavit is filed by respondent No.3 stating that immediately after receipt of the representation from the petitioner, the representation was endorsed to the Sub Divisional Police Officer, Kadiri on 19.08.2012 directing him to send a detailed report. He submitted a report stating that there is no threat to the petitioner's life from any angle. Though orders of rejection were passed, the petitioner was evading to receive the same. The allegation that his friend Gangulappa was brutally murdered was false. He was killed in local disputes. It was stated that the petitioner never approached respondent No.3 on 05.08.2012 and also did not submit any representation, however, the representation dated 19.08.2012 was received by him. It was also stated that the petitioner was involved in four criminal cases and as per the G.O.Rt.No.655 dated 13.03.1997 the persons having criminal background cannot be provided with any police

protection. It was further stated that if the petitioner has any fresh inputs regarding threat to him, he can represent to respondent No.3 and his case will be considered basing on the fresh threat perception and on merits.

In view of the statement made by respondent No.3 giving liberty to the petitioner to submit a representation, which will be considered on the basis of fresh threat perception and on merits, the petitioner is given time of fifteen (15) days from the date of receipt of a copy of this order to submit a representation to respondent No.3, who shall consider the same in accordance with law and pass appropriate orders thereon within a period of three (3) months from the date of receipt of representation from the petitioner.

Accordingly, this Writ Petition is disposed of. No order as to costs. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

A.RAMALINGESWARA RAO, J

28.03.2016

MVA