

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.35569 of 2016

ORDER:

This writ petition is filed seeking to declare the inaction of respondents 2 & 3 in considering the petitioners' representation, dated 22.09.2016, and providing police protection to the petitioners in respect of agricultural lands admeasuring Ac. 5.32 guntas of land comprising of an extent of Ac. 0.30 guntas in Survey No.1913, Ac. 2.35 guntas in Sy.No.1914, Ac. 1.16 guntas in Survey No.1917 and Ac. 0.31 guntas in Sy.No.1278 of Nirmal Village and Mandal, Adilabad District, in order to secure compliance of the order, dated 31.08.2016, passed by this Court in W.P.No.29379 of 2016, as illegal and arbitrary.

Heard and perused the material available on record.

The case of the petitioners is that the father of the petitioners was the inamdar of the subject land and that the petitioners were set *ex parte* on the basis of the order, dated 24.02.2016, passed by the Enquiry Officer appointed by the T.S. State Waqf Board and that the petitioners filed W.P.No.29379 of 2016, wherein this Court directed the respondents therein not to dispossess the petitioners from the subject property and that respondents 4 & 5 got issued notice, dated 22.09.2016, by the Commissioner, Nirmal Municipality, under Section 228(3), 217 of the A.P. Municipalities Act, 1965, for removal of the structures and that challenging the same, the petitioners filed W.P.No.33466 of 2016, wherein this Court granted an interim direction as prayed for and granted stay of demolition vide order, dated 28.09.2016.

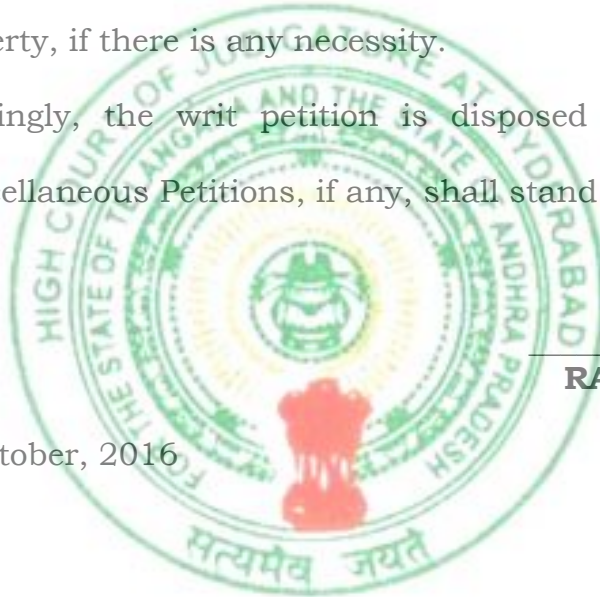
Learned counsel for the petitioners submitted that in spite of the order granted by this Court, respondents 4 & 5 are taking steps to dispossess the petitioners. The petitioners have approached respondents 2 & 3 and submitted a representation, dated 22.09.2016, requesting to provide necessary protection.

Considering the facts and circumstances of the case and the submission of the learned counsel for the petitioners, respondents 2 & 3 are directed to consider the representation, dated 22.09.2016, of the petitioners and it is left open to respondents 2 and 3 to give police protection to the petitioners in respect of their subject property, if there is any necessity.

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

Date: 21st October, 2016

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RAJA ELANGO, J