

THE HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION NO. 21513 of 2017

ORDER :

Heard both sides. With the consent of both parties the writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of respondent No. 2 in not implementing the order dated 01.10.2016, passed in E.P.No.233 of 2016 in O.S.No.110 of 2015, on the file of III Additional Junior Civil Judge, Kadapa, whereunder the Court below directed respondent No.2 to give police aid for cultivation of the EP Schedule property by the petitioner/ decree holder for implementation of decree of the said Court in O.S.No.110 of 2015, dated 29.04.2015, as illegal and arbitrary.

3. It is the case of the petitioners that though the trial Court directed the second respondent to give police protection to them for cultivating the subject property, the respondent – police failed to do so.

4. At the time when the matter is taken up for hearing, learned counsel for the petitioners submits that though they approached concerned police station along with a copy of the order and a representation seeking police protection, but the police are refusing to accept the same. On the other hand, learned Government Pleader would submit that the petitioner has not approached the police station with the representation.

5. Having regard to the rival submissions made, the Writ Petition is disposed of directing the petitioners to approach the police station by making a representation enclosing a copy of the order of the civil Court in E.P.No.233 of 2016, in which event, the police shall consider the same in terms of the order of the civil Court, in accordance with law. No costs.

Consequently, miscellaneous petitions, if any pending, shall stand closed.

30.06.2017
vhb

JUSTICE C. PRAVEEN KUMAR

