

THE HON'BLE SRI JUSTICE S.V.BHATT

W.P.NO.28545 OF 2014

ORDER

Petitioner prays for Mandamus, declaring the inaction of 3rd respondent in protecting petitioner's property from the unauthorised acts of 4th respondent and his men, as illegal and unconstitutional.

The 3rd respondent has filed counter affidavit, replying as if an allegation is made against the 3rd respondent that the 3rd respondent is interfering in a civil dispute.

After relying upon the counter affidavit, the learned Assistant Government Pleader for Home agrees that the reply is not synchronising with the complaint in the writ affidavit.

Statement is placed on record.

This court on 24.09.2014 passed the following interim order:

“Issue notice before admission returnable in four weeks.

The petitioner herein was the first plaintiff in O.S.No.100 of 2008 on the file of the Court of Senior Civil Judge at Hindupur. The 4th respondent herein was the sole defendant to the said suit. By judgment and decree dated 30.10.2008, the plaintiffs right and title over the plaint schedule property are declared and the defendant and his men are restrained from interfering with the plaintiff's peaceful possession and enjoyment.

Complaint in this writ petition is that the police are not extending necessary help to give effect to the decree and injunction.

Hence, the Station House Officer, Hindupur I Town is directed to provide necessary assistance for securing compliance and implementation of the decree dated 30.10.2008, passed by the Senior Civil Judge Court at Hindupur in O.S.No.100 of 2008.”

After perusing the material available on record, this Court is of the view that interim order can be made final order in the writ petition.

The writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions pending if any, shall stand closed.

S.V.BHATT,J

DATE:26—04—2017
AVS

