

THE HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION NO. 22225 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:

(i) the action of respondents in not acting upon the representation dated 20.04.2017, thereby not implementing the order of A.P.Wakf Tribunal in I.A.No.311 of 2016 in I.A.No.304 of 2016 in O.S.No.40 of 2016, dated 10.11.2016.

(ii) and not granting police protection to the petitioner, as illegal and arbitrary.

3. Insofar as the first relief is concerned i.e., with regard to consideration of representation dated 20.04.2017, it is to be noted that the petitioner requested for a direction to the SHO to remove the tents, temporary sheds thereby implementing the order of injunction. The same is not permissible, as it has to be done in accordance with the procedure established by law.

4. Insofar as second relief is concerned i.e., with regard to grant of police protection, it is to be noted that in I.A.No.311 of 2016 in I.A.No.304 of 2016 in O.S.No.40 of 2016, the A.P.State Wakf Tribunal directed grant of police aid to the petitioner for effective implementation of the interim injunction passed in I.A.No.304 of 2016

vide order dated 26.10.2016, subject to the condition on payment of process by the petitioner therein. No material has been produced to show as to whether process has been paid.

5. Learned Government Pleader for Home, on instructions, would submit that if the order with regard to payment of process is complied with, definitely they would provide police protection to the petitioner.

6. Having regard to the above, the writ petition is disposed of directing the petitioner to approach the concerned police station fulfilling the conditions stipulated in the order passed in I.A.No.311 of 2016 in I.A.No.304 of 2016 in O.S.No.40 of 2016, in which event, the police authorities shall grant police protection in terms of the order passed by the A.P.State Wakf Tribunal. No costs.

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

JUSTICE C. PRAVEEN KUMAR

11.07.2017

Note:

Issue in two days

B/o.

vhb