

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.5292 OF 2013

ORDER:

No representation for petitioner. Heard the Assistant Government (Home) for respondents 1 to 3.

The non-consideration of representation dated 01.02.2013 is complained in the writ petition. The petitioner relies on the decree and judgment in O.S.No.59 of 2003. The parties to the suit are petitioner and 4th respondent, who are brothers and sons of one Narsi Reddy. The representation is filed for police protection in continuation of the decree and judgment in O.S.No.59 of 2003. The 3rd respondent by keeping in view the circular issued by the Government filed counter affidavit dated 05.03.2013 and paragraph 4 reads as follows:

"It is respectfully submitted that though the petitioner submitted a representation dated 1.02.2013 to the respondents herein through registered post, but he did not approach this respondent police till date. I humbly submit that the dispute of the petitioner herein as well as his brother, 4th respondent herein is purely civil in nature. It is respectfully submitted that it is always open for the petitioner to file an execution petition before the concerned Court, which granted the Judgment and Decree in O.S.No.59 of 2003 on the file of Hon'ble Senior Civil Judge, Bhongir seeking police protection. It is humbly submitted that if the brother of the petitioner 4th respondent herein violates the orders passed by the Hon'ble Court, it is always open for him to avail alternative remedies. It is further respectfully submitted that the petitioner is trying to involve the respondent police into the civil disputes between him and his brother. It is humbly submitted that this respondent shall abide by the directions if any passed by this Hon'ble Court".

In view of the stand taken in the counter affidavit, it appears to be correct to this Court. The petitioner is given liberty to move the Court for all reliefs, including police protection. This Court is not persuaded to exercise its discretion to direct respondent No.3 to provide police protection to petitioner.

The writ petition fails and is, accordingly, dismissed. There shall be no order as to costs.

Pending miscellaneous petitions, if any, stand closed.

29th November 2017

Lrkm



S.V.BHATT, J