

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.15017 of 2017

ORDER:

Heard the learned Counsel for the petitioner and the learned Government Pleader for respondent Nos.1 to 4.

This Writ Petition is filed challenging the action of respondent Nos.2 to 4 in not providing protection to the petitioner pursuant to the representation of the petitioner dated 18.07.2016.

The petitioner states that when there was a threat of interference with respect to the land of an extent of Acs.3.24 guntas in Survey No.534/AA situated at Rudraram Village of Miryalguda Mandal, Nalgonda District, by respondent No.6, the petitioner filed O.S.No.169 of 2012 on the file of the learned Principal Junior Civil Judge, Miryalaguda, for perpetual injunction in respect of an extent of Acs.2.00 out of Acs.3.24 guntas. The said suit was decreed on 29.12.2012 and it has become final. Respondent No.5 also filed O.S.No.178 of 2012 before the same Court for perpetual injunction in respect of the land situated in Survey No.535 and the said suit was dismissed. Respondent Nos.5 and 6 jointly filed O.S.No.198 of 2013 on the file of the learned Additional Junior Civil Judge at Miryalaguda in respect of the land admeasuring Ac.0.23 guntas in Survey No.535/A3 and Ac.0.02 guntas in Survey No.535/A2/1 and obtained *ex parte* interim injunction on 16.08.2013. The said

suit was also later on dismissed on 06.05.2016. In spite of dismissal of the suits filed by respondent Nos.5 and 6, they are trying to trespass into the land of the petitioner. In those circumstances, the petitioner submitted a representation to the second respondent seeking protection.

This Court carefully perused the representation submitted to the second respondent on 18.07.2016 and noticed that it is in general terms. It is not possible for the Police to extend the protection to the land eternally.

In the circumstances, this Writ Petition is disposed of giving liberty to the petitioner to seek Police protection if there is actual threat of interference and there is likelihood of an offence taking place. On receipt of such complaint by the fourth respondent, the fourth respondent shall take necessary action in accordance with law. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

25.04.2017
vs

(A.RAMALINGESWARA RAO, J)