

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.19428 OF 2017

ORDER:

Heard the learned counsel for the petitioner; the learned Government Pleader for Home for the State of Telangana appearing for respondents 1 to 3 and Sri Srinivas Velagapudi, learned counsel for respondents 4 to 9. With their consent, the present writ petition is disposed of at the admission stage itself.

2. The Writ Petition, under Article 226 of the Constitution of India, came to be filed with the following prayer:

“...to issue a writ or order more particularly one in the nature of writ of mandamus declaring the action of the respondents 2 and 3 in not providing police protection to the petitioner property i.e., open land in survey No.54 admeasuring Ac.0.18 guntas equivalent to 2178 sq.yards situated at Khanamet village, Serilingampally Mandal and Municipality, Rangareddy District adjacent and behind Sky Lounge-Meenakshi Complex, Rangareddy District by restraining the respondents 4 to 9 in interfering with the peaceful possession and enjoyment of petitioner over the petitioner landed property i.e., open land in survey No.54 admeasuring Ac.0.18 guntas equivalent to 2178 sq.yards situated at Khanamet Village, Serilingampally Mandal and Municipality, Rangareddy District adjacent and behind Sky Lounge-Meenakshi Complex, Rangareddy District in spite of the petitioner written complaint dated 17-11-2016 and also the orders in I.A.No.894 of 2016 in O.S.No.478 of 2016 dated 16-12-2016 and in I.A.No.424 of 2016 in O.S.No.239 of 2016 passed the Hon'ble Additional Junior Civil Judge Kukatpally at Miyapur, Rangareddy District as illegal,

arbitrary, unjust and against Article 300-A of Constitution of India and consequential directions to the respondents 2 and 3 to provide police protection by restraining the respondents 4 to 9 in interfering with peaceful possession and enjoyment of the petitioner over the petitioner landed property i.e., open land in survey No.54 admeasuring Ac.0.18 guntas equivalent to 2178 sq.yards situated at Khanamet Village, Serilingampally Mandal and Municipality, Rangareddy District adjacent and behind Sky Lounge-Meenakshi Complex, Rangareddy District.”

3. The case of the petitioner is that he purchased the property in dispute by way of a registered sale deed dated 05.05.2016. Subsequently, when respondents 7 to 9 tried to interfere with his peaceful possession in respect of the subject land, petitioner filed O.S.No.239 of 2016 on the file of the Additional Junior Civil Judge, Ranga Reddy, which was disposed of 27.10.2016 by granting perpetual injunction in favour of the petitioner. It is stated that, when he dumped construction material, third parties, who are henchmen of the unofficial respondents herein, criminally trespassed into the property and prevented construction work. In regard to the said incident, petitioner also gave a representation to the concerned police. While the matter stood thus, respondents 4 to 6 at the instigation of respondents 7 to 9, made hectic attempts to dispossess the petitioner from the subject property. Upon which, the petitioner filed O.S.No.478 of 2016 along with I.A.No.894 of 2016, wherein the learned Additional Junior Civil Judge, Kukatpally at Miyapur, directed both parties to maintain *status quo* and the said orders are still in subsistence. It is said that in spite of injunction

orders, respondents 4 to 6 are threatening the petitioner with dire consequences. Hence the present writ petition.

4. Though the learned counsel for the petitioner stated that the petitioner has given a representation to the concerned police, no document is placed before the Court to substantiate the said contention and no material is placed before the Court to show as to what happened after 16.12.2016.

5. Learned Government Pleader for Home would submit that if such a representation is made before the concerned authority, they would take steps in accordance with law.

6. Having regard to the above, the Writ Petition is disposed of directing the respondents to make a representation before the concerned Station House Officer, enclosing a copy of the orders passed by the Civil Court, seeking police protection, in which event the said authority shall pass appropriate orders, after hearing the concerned persons, in accordance with law, as early as possible, preferably within a period of two (02) weeks from the date of receipt of a copy of this order.

Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

Date:26.07.2017
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