

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION NO. 45337 OF 2016

ORDER:

This Writ Petition was filed challenging the action of 3rd respondent in not providing police protection to the petitioner in respect of the land to an extent of Ac. 2.00 gts in Sy.No. 971/1 situated at Hanmakonda Revenue Village of Warangal District, pursuant to the decree of perpetual injunction granted on 2.5.2012 in O.S.No. 1064 of 2011 on the file of learned II Additional Junior Civil Judge, Warangal.

2. The third respondent filed a counter stating that no representation of the petitioner is received by the Police, seeking protection and in the absence of any such representation, they cannot provide any protection.

3. Learned counsel appearing for respondents 5 to 8 submitted that the decree passed by the learned II Additional Junior Civil Judge, Warangal, was an *ex-parte* decree, and seeking to set aside the *ex-parte* decree, an appropriate application was filed by them before the same court, and no orders have been passed till today. It is also brought to the notice of this Court that the petitioner, earlier, filed E.A.No. 195/2014 in E.P.No. 833/2014, pursuant to the decree passed by the said Court, seeking police aid, and the said application was dismissed by the learned II Additional Junior Civil Judge, Warangal, on 15.6.2015.

4. Thus, the civil proceedings in favour of the petitioner are not concluded and the lower Court dismissed the application of the petitioner for providing police protection while discussing the facts of the case by an elaborate order dated 15.6.2015. On the face of such order, no direction

can be granted, in favour of petitioner, to the third respondent to provide protection.

5. Accordingly, the Writ Petition is dismissed. However, the petitioner can renew his request to the third respondent by way of an appropriate application, if he so chooses. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

DATE: 21.03.2017

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A. RAMALINGESWARA RAO, J

