

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.21707 OF 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, came to be filed seeking to declare the action of official respondents in not providing police protection, for construction of pucca houses in the lands assigned by the revenue authorities on 21.02.2013, as illegal and arbitrary.

Heard the learned counsel for the petitioners and learned Assistant Government Pleader for Home appearing for respondent Nos.1 to 4. With their consent, the Writ Petition is disposed of at the stage of admission itself. Since this Court is not going into the merits of the case, there is no necessity to issue notice to respondent Nos.5 and 6.

The case of the petitioners is that they were granted house site pattas in survey No.155/1 and some of the petitioners raised thatched houses, while some others started construction of pucca houses, in their respective plots. While so, the unofficial respondents tried to interfere with the possession and enjoyment of the petitioners under the guise of a will deed dated 29.04.2011, executed by one Nagoji Rao. It appears that cases and counter cases came to be registered against the parties. Thereafter, the Tahasildar, Kallur Mandal, submitted a report to the District Collector seeking to provide police protection to the petitioners for construction of pucca houses. Since no action was taken by the District Collector, the petitioners approached the third respondent-Superintendent of Police, who in turn instructed the DSP to examine the matter. Alleging inaction on the part of the respondents-authorities in providing police protection to the petitioners for construction of pucca houses, the present writ petition came to be filed.

Learned AGP placed on record the written instructions received from the fourth respondent. According to him, five crimes are registered against some of the petitioners and unofficial respondents and they are under investigation. It is sated that the Tahasildar, Kallore, though submitted his report for grant of sanction of monetary relief to the 18th petitioner herein to construct a house in the allotted plot, so far no orders have been received from the second respondent for providing police protection to 18th petitioner. Therefore, it is urged that the contention of the petitioners that no police protection is provided, *in spite* of report of the Tahasildar, is incorrect.

At this stage, the learned counsel for the petitioners submits that a suitable direction may be given to the respondents-Police to investigate the crimes and file final reports, at the earliest.

Having regard to the above, the Writ Petition is disposed of directing the respondents-Police to complete investigation in all the crimes registered against the petitioners and file final reports, as early as possible, preferably within a **period** of six to eight weeks from the date of receipt of a copy of this order.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed. No costs.

C. PRAVEEN KUMAR, J

19.07.2017
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