

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION NO.12991 OF 2013

ORDER:

In this writ petition, the petitioners seek a direction to the respondents 1 to 3 to cause arrest of respondents 4 to 6 herein and produce them before the III Additional Junior Civil Judge, Nellore in execution of warrants issued in E.P.No.118 of 2010 in O.S.No.1734 of 2006 and to extend necessary protection to the petitioners to protect their possession and enjoyment of the subject-land.

According to the petitioners, they are absolute owners and possessors of Ac.37.52 cents of agricultural land in Sy.No.2372 of Nagambotlavari Kandriga, Survepalli Bit-II Revenue Village, Venkatachalam Mandal, S.P.S.R. Nellore District. Since the respondents 4 to 6 herein tried to interfere with their possession and enjoyment over the subject-land, the petitioners filed O.S.No.1734 of 2006 on the file of III Additional Junior Civil Judge, Nellore seeking permanent injunction against them. The suit was decreed in favour of the petitioners on 22.03.2007 and as the respondents 4 to 6 tried to interfere with their agricultural activities over the subject-land, they filed E.P.No.118 of 2010 seeking to send the respondents 4 to 6 to civil prison, wherein arrest warrants were issued against them. Seeking execution of the said warrants, the present writ petition is filed.

Though the writ petition pertains to 2013, so far no counter affidavit is filed by the respondents.

Heard the learned counsel for the petitioners and learned Government Pleader for Home and perused the material available on record.

In view of the facts and circumstances of the case and considering the grievance of the petitioners, the petitioners are directed to make a fresh representation before the 1st respondent ventilating their grievance and the 1st respondent shall verify the correctness of the contents thereof and shall take steps to implement the orders/warrants of the civil Court, if they are in force and not impleted so far, and shall also take necessary steps to protect the law and order with regard to the subject-land, in accordance with law.

With the above directions, the writ petition is disposed of. No costs.

Consequently, pending miscellaneous applications stand closed.

17th DECEMBER 2018
TSR

T.AMARNATH GOUD, J

