

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.2704 of 2018

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking verbatim the following relief/ s:

'...to issue order direction more particularly one in the nature of writ of MANDAMUS declare the action of the respondent No.3 & 4 in not conducting the enquiry in FIR.No.44/2017, dated:03.04.2017 on the file of 4th respondent PS as illegal arbitrary and contrary to the provisions of Cr.P.C and consequentially direct the Respondents to take necessary action against the 5th respondent by providing necessary protection to the petitioner's land covered in RS.No.332 Ac.10.40 Cts situated at Komaravaram Village, H/o.Doramamidi, Buttaigudem, West Godavari District and to pass such other order or orders as this Hon'ble Court deems fit just and proper in the circumstances of the case.'

I have heard the submissions of the learned counsel for the petitioner and of the learned Government Pleader for Home (AP) appearing for the respondents 1 to 4.

The grievance of the petitioner is that pursuant to the registration of the case in Crime No.44 of 2017 of Buttaigudem Police Station, against the 5th respondent and others, neither investigation was conducted nor action was taken against the said respondent and that her request for providing necessary protection to her crops is not being considered.

Learned Government Pleader, on instructions, submitted as follows: -

'On the complaint of the petitioner, a case in Crime No.44 of 2017 was registered, on 03.04.2017, against the persons mentioned in the complaint for the offences punishable under Sections 447 and 379 read with 34 IPC. After completion of investigation a charge sheet has been filed and the same has been taken on file by the learned Judicial Magistrate of First Class, Jangareddigudem, as Calendar Case No.1233 of 2017. The request of the

petitioner to provide police protection to her lands in the absence of any orders from the competent Court is unsustainable.'

In reply, learned counsel for the petitioner would submit that the petitioner would now approach the RDO, who is the concerned officer, for police protection by filing an appropriate application.

Having regard to the facts and submissions, the Writ Petition is disposed of reserving liberty to the petitioner to file an appropriate application before the Revenue Divisional Officer, Jangareddygudem, seeking police protection. It is made clear that in the event the petitioner files any such application, the said officer shall consider and dispose of the same, within four weeks from the date of receipt of such application, however, in strict accordance with the procedure established by law.

There shall be no order as to costs.

Miscellaneous petitions, pending if any, also shall stand dismissed.

29.03.2018
Vjl

M. SEETHARAMA MURTI, J