

THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT PETITION No.9267 OF 2007

ORDER:

This writ petition is filed to issue a Writ of Mandamus for the inaction of the police in not implementing the orders in I.A.No.567 of 2007 in O.S.No.482 of 2007, dated 22.03.2007 and consequential declaration that the police has to extend the aid as per the orders of the Civil Court and further direction to the Commissioner of Police, Cyberabad to take immediate steps for implementation of the orders in I.A.No.567 of 2007 in O.S.No.482 of 2007, dated 22.03.2007 on the file of the II Additional Senior Civil Judge, Ranga Reddy District by extending necessary police aid to the petitioner for complying the orders in I.A.No.567 of 2007 in O.S.No.482 of 2007, dated 22.03.2007.

2. The case of the petitioner is that an extent of Ac.4.29 gts. of land on the northern part in Survey No.203 of Kondapur Village was purchased by him through an unregistered Sale deed dated 25.09.1974 from late V.Sudhershnam, Sri V.Madhana Gopala Swamy and Sri V.Madhana Gopala Swamy, Sri V.Srinivasa Venka Sai and Smt. Tulasamma. The sale deed could not be completed due to non-completion of the proceedings under the provisions of the Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973. However, the petitioner was inducted in

the possession of the land on 25.09.1974 after receipt of the total sale consideration agreed. The petitioner filed O.S.No.482 of 2007 for perpetual injunction against the land owners and their successors before the II Additional Senior Civil Judge, Ranga Reddy along with I.A.No.431 of 2007 in O.S.No.482 of 2007. The learned Judge granted injunction order restraining the respondents from interfering with the possession and construction of boundary wall in respect of the petitioner's property of an extent of Ac.4.29 gts. on the northern part of Survey No.203 situated at Kondapur Village, R.R. District. In spite of the injunction orders in I.A.No.431 of 2007 in O.S.No.482 of 2007 dated 08.03.2007, when the unsocial elements claiming to be the agents of the respondents 5 to 19 visiting the schedule property of the petitioner, he filed I.A.No.567 of 2007 in O.S.No.482 of 2007, seeking police protection for implementation of the injunction orders granted in I.A.No.431 of 2007. On 22.03.2007, the learned II Additional Senior Civil Judge had granted police aid for protection of the schedule property. In spite of the police protection granted in I.A.No.567 of 2007, dated 22.03.2007 and in spite of the request of the petitioner, the police could not grant any police aid. In these circumstances, the petitioner filed the present writ petition.

3. This Court passed interim order in W.P.M.P.No.11828 of 2007 dated 13.12.2013, directing the second respondent to examine the case and issue necessary instructions to the

fourth respondent in accordance with law in pursuance of the orders of the learned II Additional Senior Civil Judge, Ranga Reddy District at L.B.Nagar, Hyderabad in O.S.No.482 of 2007 within a period of two weeks from the date of receipt of a copy of the order.

4. Today, when the matter is taken up for hearing, none appeared for the respondents 1 to 4 and no counter-affidavit is filed.

5. In those circumstances, this Writ Petition is disposed of, in terms of the order passed in W.P.M.P.No.11828 of 2007 in W.P.No.9267 of 2007, dated 13.12.2013, directing the respondents 2 and 4 to give police aid for implementation of the orders passed in I.A.No.567 of 2007 in O.S.No.482 of 2007, dated 22.03.2007 as and when the petitioners 2 and 3 (L.Rs. of first petitioner) approached for such police aid. No costs.

6. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE M.GANGA RAO

16th February, 2018
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