

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.11366 of 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking verbatim the following relief:

“..to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not acted upon the request representation made by the petitioner for providing police protection to the petitioner also provide necessary security measures on 06.04.2018 at Andhra Jatheeya Vidya Parishad Campus for conducting birth-day celebration of the founder of the institution is illegal, arbitrary and violation of Articles 14 and 21 of the Constitution of India and consequently direct the respondents to provide the police protection to the petitioner and also provide necessary security measures on 06.04.2018 at Andhra Jatheeya Vidya Parishad Campus for conducting birth-day celebrations of the founder of the institution and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. The only request made by the petitioner is to provide necessary security measures, on 06.04.2018, at Andhra Jatheeya Vidya Parishad Campus for conducting birthday celebrations of the founder of the institution.

3. I have heard the submissions of the learned counsel for the petitioner and of the learned Government Pleader for Home (A.P.) appearing for respondents 1 to 4, on 04.04.2018. On that day, the learned Government Pleader for Home sought time for instructions. However, the learned counsel for

the petitioner submitted that if not on 06.04.2018, on any subsequent date, the birthday celebrations of the founder of the institution would be conducted and for such conduct of celebrations, necessary security measures are necessary and therefore, the police officers concerned may be directed to provide security measures. On hearing the said submission, the matter is adjourned to today.

4. Today, the learned Government Pleader for Home, on oral instructions, would submit that two police constables would be posted outside the gate of the campus and no police security arrangements would be made for conduct of the birthday celebrations within the campus, as there are internal disputes with regard to the management.

5. In reply, the learned counsel for the petitioner brought to the notice of the Court, the report, dated 12.03.2017, submitted by the Regional Joint Commissioner, Rajamahendravaram, submitted to the Commissioner of Endowments Department, and also a copy of the invitation for the celebrations, which was jointly issued by the petitioner and the Executive Officer-cum-Assistant Commissioner of the Andhra Jatheeya Vidya Parishad.

6. However, in reply, the learned Government Pleader for Home would submit that there are other writ petitions pending before this Court and in some of the writ petitions, the officers of the Police Department are also parties.

7. Having regard to the facts and submissions, the Writ Petition is disposed of reserving liberty to the Executive Officer-cum-Assistant Commissioner of the Andhra Jatheeya Vidya Parishad, to submit a representation to the Director General of Police, Andhra Pradesh, within two days from the date of receipt of a copy of this order seeking necessary security measures at Andhra Jatheeya Vidya Parishad Campus for conducting birthday celebrations of the founder of the institution by specifying the dates/date on which such celebrations would be conducted. It is needless to state that in the event any such representation is made by the said officer to the second respondent, the same shall be considered and disposed of at the earliest in strict accordance with the procedure established by law. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

M. SEETHARAMA MURTI, J

Date: 06.04.2018

Note: Furnish CC today

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