

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.15601 OF 2018

ORDER:

In this writ petition, under Article 226 of the Constitution of India, the petitioner is seeking a direction to the police officers/respondents 2 to 5 to provide police protection to the petitioner for implementation of perpetual injunction decree, dated 16.09.2016, in O.S.No.363 of 2013 on the file of the Court of the II Additional Senior Civil Judge, Ranga Reddy District, *inter alia* stating that the said decree has become final; and, that when interference was caused by the unofficial respondents, who suffered the said decree, the petitioner gave representations, dated 07.08.2017, 11.12.2017, 16.12.2017 and 29.07.2017, but no action has been taken by the police officers; and, that therefore, the petitioner is not able to peacefully enjoy the property covered by the said decree for perpetual injunction i.e., land in an extent of Ac.02.25 guntas in Sy.No.316 situated at Chandanagar Village, Serilingampally Mandal, Rangareddy District.

2. I have heard the submissions of Sri Ch.Janardhan Reddy, learned counsel for the petitioner, and of the learned Government Pleader for Home (TG) appearing for the respondents 1 to 5. I have perused the material record.

3. At the hearing, learned counsel for the petitioner, while reiterating the case of the petitioner, submits that when the petitioner sought police aid by submitting a representation, dated 07.08.2017, to the Inspector of Police, Chandanagar Police Station, Cyberabad, the said police officer made an endorsement, on

09.08.2017, on the said representation that the police will provide police protection if an order is obtained from a Court in accordance with law and that therefore, the present writ petition is filed.

4. Learned Government Pleader for Home submits that the petitioner ought to have filed an execution application for execution of the perpetual injunction decree instead of seeking police aid; that it would be difficult for the police officers to provide protection to the property round the clock; and, that in the event this Court directs the petitioner to furnish a fresh representation to the said police officer, the same would be considered and police protection would be provided whenever necessary.

5. Recording the submissions, the Writ Petition is disposed of reserving liberty to the petitioner to submit a fresh representation to the Inspector of Police, Chandanagar Police Station, Cyberabad within one week from the date of receipt of a copy of this order seeking necessary police protection by enclosing necessary supporting documents. It is needless to state that in the event the petitioner makes such a representation, the said police officer shall consider the same and provide necessary police protection as and when necessary. There shall be no order as to costs.

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

JUSTICE M.SEETHARAMA MURTI

Date: 27.04.2018

Note:- Furnish C.C. in three days.

B/O
AMD

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AMD