

HONOURABLE SRI JUSTICE T. AMARNATH GOUD

WRIT PETITION NO. 39218 OF 2013

ORDER :

This writ petition is filed by the petitioners under Article 226 of the Constitution of India, seeking a writ of mandamus to declare that the petitioners are entitled to police-aid to protect their land from the respondents 3 to 5 herein in view of the permanent decree in favour of the District Munsif, Nizamabad, dated 06-06-1989 in respect of their land situated at survey No. 447/A, admeasuring Ac:0-13 ½ guntas at Ghanpur village, Nizamabad district and consequently to direct the respondent No.1 to prevent the respondents 3 to 5 from occupying or interfering with the land of the petitioners by taking appropriate action against the respondents 3 to 5; and the respondent No.1 may be further directed to ensure that the wall constructed by the respondent No.3 to 5 will be removed without there being no danger to the life and limb of the petitioners on account of the high-handedness of the respondents 3 to 5 and to pass such other suitable orders as this Court may deem fit and proper in the circumstances of the case.

2. Heard the learned counsel for the petitioners and the learned Government Pleader for Home [TG] and Sri V. Tulasi Reddy, learned counsel for the respondents.

3. Since the matter pertains to the lis of 2013 and during all these years no case has been made out that the cause of action still survives in this writ petition.

4. Hence, the writ petition is dismissed, giving liberty to the petitioner to seek appropriate remedy as provided under as and when fresh cause of action arises. No costs.

5. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE T. AMARNATH GOUD.

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[RESULT : D I S M I S S E D]

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Court Master : I s L