

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.45137 of 2017

ORDER:

Heard Mr.T.Niranjan Reddy for petitioner and the learned Special Government Pleader representing the learned Advocate General.

The petitioner prays for mandamus declaring the proceedings C.No.767/XI-SB-2017, dated 16.11.2017, as illegal and contrary to G.O.Rt.No.655, dated 13.03.1997.

The 4th respondent through the notice impugned in the writ petition had withdrawn the security cover provided to the petitioner herein.

Mr.T.Niranjan Reddy, learned senior counsel draws the attention of the Court to representations dated 20.11.2017 made to respondents herein to continue to provide security cover. Though the challenge to notice is on the ground of violating G.O.Rt.No.655 dated 13.03.1997, he limits his submission by contending that the notice impugned may be treated as show cause notice, the representations given by the petitioner may be directed to be considered by the Security Review Committee comprising of Joint Director, S.I.B., Deputy

Director, S.I.B, D.I.G. (Security), D.I.G. (Int), Joint Security (Protocol) and I.G.P. (Grey Hounds) as members and I.G.P. (Int). He further prays for continuation of security cover during and in the course of consideration or till a final decision is taken in this behalf by the Security Review Committee.

The learned Government Pleader requests time to file counter affidavit and does not oppose to treating the notice impugned in the writ petition as show cause notice, but opposes continuation of security cover on the ground that a decision objectively is taken and hence continuation of security cover is un-necessary in the facts and circumstances of case.

The objection raised by the learned Government Pleader are merely stated and this Court is not persuaded in the facts and circumstances of this case.

The circumstances either referred in the affidavit or in the representations require consideration of petitioner's request for continuation of security cover by the Security Review Committee.

This Court is also, after taking note of the tenor of expression used by the 4th respondent is convinced to

treat notice as show cause notice and further is directing the Security Review Committee to examine the entire threat perspectively and take a decision on the continuance or otherwise on the security provided to petitioner. Under those circumstances, keeping in view the principle laid down by this Court in **G.Subas Reddy v. State of A.P. and Ors.**¹, I am satisfied, the writ petition can be disposed of by this order:

“The notice dated 16.11.2017 is directed to treat as show cause notice for withdrawing the security to petitioner, the petitioner is given liberty to re-submit the representations together with additional information if any to the Security Review Committee by enclosing a copy of this order within one (01) week from today. The Security Review Committee takes into consideration the inputs both given by the petitioner and by the authority and a decision is taken on the request of petitioner.

Till a decision is taken and communicated, the Superintendent of Police/4th respondent is directed to continue to provide arrangement made to petitioner prior to issue of notice dated 16.11.2017, however, at the cost of expense of the petitioner. The Security Review Committee considers disposing of the representations as

¹ 1997 (2) ALD 694 (D.B)

expeditiously as possible, preferably, within three (03) months from the date of receipt of copy of this order. No order as to costs.”

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 02.01.2018
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