

THE HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.29026 of 2014

ORDER:

Heard learned counsel for the petitioner as well as learned Government Pleader appearing for the respondents 1 to 4.

2. The prayer sought in the writ petition is as under:-

“...to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents 2 to 3 in collusion with respondent No.4 in not giving protection to the petitioner to cultivate his land in Sy.No.246/2 to an extent of Ac.2.27 gts., situated at Anumula Revenue Village and Mandal, Nalgonda District in the light of the injunction order granted in I.A.No.232 of 2012 in O.S.No.140 of 2012 dated 26.06.2012 on the file Principal Junior Civil Judge, Miryalaguda and in threatening the petitioner not to enter into his land and interfering with the civil dispute is highly arbitrary, bad and illegal and pass such other order or orders as deem fit and proper.”

3. Learned Government Pleader placed on record the written instructions issued by the Station House Officer, Anumula Police Station, Nalgonda District, i.e., the 3rd respondent.

4. From a perusal of the said written instructions, it is revealed that as on the date of issuance of the written instructions, the petitioner did not approach the respondents 2 and 3 seeking police protection to the subject land in question. It is further mentioned in the instructions that there are no specific directions to the respondent police to provide any police protection to the subject land of the petitioner herein. It is further mentioned that it is always open for the petitioner to file an application before the concerned Court seeking police protection and the respondent police are ready and willing to

provide police protection, if there are specific directions from the Court.

5. Learned Government Pleader also brought to the notice of this Court that the petitioner herein filed a private complaint against the 5th respondent and others on the file of the Judicial First Class Magistrate, Miryalguda. The said complaint was referred to the respondent police under Section 156(3) Cr.P.C. Pursuant thereto, the respondent police registered a case in Crime No.117 of 2015. After completion of investigation, charge sheet was also filed. The learned Magistrate after taking cognizance of the offence, the said case was taken on file as C.C.No.10 of 2016, which is pending trial.

6. When the petitioner has not given any representation to the respondent police for police protection to the subject lands and basing on the complaint lodged by him, a crime is registered and charge sheet is also filed, this Court is of the view that no further cause would survive in the writ petition, since the respondent police have already taken action pursuant to the referred complaint by the concerned Magistrate. As such, the writ petition is liable to be closed.

7. Accordingly, the writ petition is closed. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

20th December 2019

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P. KESHAVA RAO, J