

**HONOURABLE SRI JUSTICE P. KESHA RAO**

**WRIT PETITION No.31192 of 2013**

**ORDER:**

Heard the learned counsel for the petitioner and the learned Government Pleader for Home for the respondents.

The prayer sought in the writ petition is as under:

“... to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus directing the respondents 2 to 4 herein to provide police protection to enable the petitioner to construct compound wall around the Sri Ganesh Kalika Shiva Temple and the vacant land situated in premises bearing No.11-1-193/1, New Bhoiguda, Aghapura, Seetharambagh, Hyderabad as requested by Assistant Commissioner, Endowment Department, Hyderabad vide letter dated 07.02.2013.”

Respondent No.4 filed a counter affidavit denying the averments made in the affidavit filed in support of the writ petition and contended *inter alia* that as per the enquiries made with the Tahsildar, Nampally Mandal and as per the town survey land records the subject land is a Government land and the same has been published as an endowment property. In fact, one Mr.Narsing Rao and others filed a suit in O.S.No.913 of 2005 against the Tahsildar, Nampally and others and obtained stay orders. After vacation of the said stay orders, they approached the Endowment Tribunal and filed O.A.No.2935 of 2010 and obtained interim orders not to transfer and not to alienate the suit land. The said matter is still pending for consideration before the Endowment Tribunal. Though the petitioner stated that one Mr.Kamal Singh has encroached on temple land and illegally constructed a house occupying about 300 square yards of land. Admittedly, the petitioner has not impleaded the said Kamal Singh as a party respondent to the writ petition.

Looking at the averments made in the affidavit filed in support of the writ petition and the counter affidavit, it appears there are disputes between the petitioner and the said Kamal Singh, who alleged to have been constructed a house, and the same cannot be resolved by the respondent police. From the above, it can be safely inferred that it is purely a civil dispute between the petitioner and the said Kamal Singh for which the respondent police have nothing to do with that. When *prima facie* the matter appears to be civil in nature, the respondent police cannot be expected to provide police protection to the petitioner.

In these circumstances, this Court is of the opinion that there are no merits in the writ petition and the same is accordingly dismissed. However, it is open to the petitioner to approach the competent civil Court for appropriate relief. No order as to costs.

Miscellaneous petitions, if any, shall also stand dismissed.

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**P. KESHAVA RAO, J**

Date: 16.09.2019.  
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