

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.39046 OF 2018

ORDER :

This writ petition is filed challenging the action of the 6th respondent in not providing police aid to the petitioner in the implementation of the injunction order dt.26.10.2016 passed in IA.No.560 of 2016 in OS.No.508 of 2016, by the Sub Divisional Magistrate & Special Assistant Agent to Government, Mobile Court at Bhadrachalam, restraining the respondents 7 to 12 from interfering with the petitioner's peaceful possession and enjoyment of the land admeasuring Ac.8.20 guntas covered under Survey No.860, situated at Seetharampuram, H/o.Usirikayalapalli of Singareni Mandal, Khammam District.

Learned Counsel for the petitioner submits that the injunction order passed in IA.No.560 of 2016 in OS.No.508 of 2016, restraining the respondents herein from interfering with the petitioner's peaceful possession and enjoyment, is still valid and subsisting; and that the exparte decree passed in IA.No.350 of 2016 in OS.No.319 of 2016 filed by the respondents is set aside by order dt.15.09.2017 in IA.NO.576 of 2016 in IA.No.350 of 2016 in OS.No.319 of 2016, and the same has become final. He also submits that the proceedings initiated by the 9th respondent under the provisions of A.P.Scheduled Areas Land Transfer Regulation, 1959 were dropped in favour of the petitioner and the same has become final, inspite of the same the unofficial respondents are

interfering with the possession of the petitioner, as such, they approached respondent police seeking police aid but the same has not been provided.

On the other hand learned counsel for unofficial respondents submits that the injunction order passed in IA.No.560 of 2018 in OS.No.508 of 2016 is only an interim order and that the suit is still pending. He also submits that there are boundary disputes between the petitioner and respondents, as such, opposed for grant of interim orders.

Heard learned Assistant Government Pleader for Home who submits that there is no specific direction from the trial Court for providing police aid and that if any such direction is issued they will provide necessary police aid.

In this case, the facts that the injunction granted in favour of petitioner in IA.No.508 of 2016 is subsisting as on today; and that the exparte order passed in the suit filed by the respondents is set aside by order dt.15.09.2017 in IA.No.576 of 2016, are not in dispute. The fact that the 9th respondent lost his case vide order dt.09.05.2015 in LTR No.1/2015/SING is also not in dispute.

In view of the aforesaid facts and circumstances, the writ petition is allowed directing the 6th respondent to provide police aid to the petitioner herein in the implementation of the injunction order dt.26.10.2016 passed in IA.No.560 of 2016 in OS.No.508 of 2016 by the

Sub Divisional Magistrate & Special Assistant Agent to Government,
Mobile Court at Bhadrachalam. No order as to costs.

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

A.RAJASHEKER REDDY, J

16.07.2019
t k.



THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY



WRIT PETITION No. 39046 of 2018

16.07.2019

tk