HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO. 23400 OF 2020

Between:

Bolla Chandra Reddy, S/o. Sathireddy, Aged 60 years, occ: Cultivation, R/o. Hemachandrapuram Village, Lakshmidevipalli Mandal, Bhadradri District.

...PETITIONER

AND

1. The Director General of Police, Lakdikapul, Hyderabad.
2. The Superintendent of Police, Bhadradri Kothagudem District, Kothagudem.
3. The Station House Officer, PS Lakshmidevipalli, Bhadradri Kothagudem District.
4. Pulyala Chittemma, W/o. Sitharamulu, Aged 65 years, Occ: Agriculture, R/o. Korukonda Village, Bhadradri District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to pass an order or direction or writ in the nature of Mandamus duly declaring the inaction of the 3rd respondent in not considering the application of the petitioner dated 5th December, 2020 seeking police protection as illegal, arbitrary and against the principles of natural justice subsequently, direct the 3rd respondent to consider the same and provide police protection against the 4th respondent's illegal interference in respect of property vide Ac. 03.20 guntas including a residential house vide No. 5-10 situated at Karukonda Revenue Village, Laxmidevipalli Revenue Mandal, Bhadradri District.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 3rd respondent to consider the representation dated 05.12.2020 of the petitioner, and provide police protection against the 4th respondent's illegal interference in respect of property vide Ac. 03.20 guntas including a residential house vide No. 5-10 situated at Karukonda Revenue Village, Laxmidevipalli Revenue Mandal, Bhadradri District.

Counsel for the Petitioner: SRI P. RAMA SHARANA SHARMA

Counsel for the Respondent Nos. 1 to 3: GP FOR HOME

Counsel for the Respondent No.4: --

The Court made the following: ORDER

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.23400 OF 2020

ORDER:

Heard learned counsel Mr. P.Rama Sharana Sharma for the petitioner and the learned Assistant Government Pleader for Home.

2. Petitioner claimed to be the owner and in possession of agricultural land to an extent of Acs.3.20 guntas including residential house bearing Gram Panchayat House No.5-10 in Karukonda Revenue village, Laxmidevipalli Revenue Mandal, Bhadradri-Kothagudem district. Petitioner now alleges that 4th respondent is interfering in possession and enjoyment of the said property. According to the petitioner, 4th respondent instituted O.S.No.315 of 2020 in the Court of Special Assistant Agent and Sub-Divisional Magistrate (Mobile Court) at Bhadrachalam. Initially, injunction was granted. However, after hearing the petitioner, said injunction order was vacated and the said suit was dismissed. In spite of dismissal of the suit, 4th respondent is continued to interfere in possession and enjoyment of the property. Petitioner now submits that on 05.12.2020, application was made to the local Police bringing to their notice the alleged interference and obstruction created in enjoying the property.

3. Two aspects are noticed herein. Firstly, petitioner alleges interference and disturbing the possession of the property claimed to be owned by him and in possession, and secondly, petitioner alleges even though application was made for granting police protection, the same is not extended.

4. If the petitioner has grievance against alleged interference, he has to work out his remedies as available in law. Secondly, if petitioner filed complaint, it is open to him to pursue the said complaint and work out his remedy as available under the Code of Criminal Procedure as held by this Court and the Hon'ble Supreme Court in **Govind Raju Sami v. State of Telangana and Others**[1] and the decision of Hon'ble Supreme Court in **M.Subramaniam and another v. S.Janaki and another**[2]. Thus, granting liberty to the petitioner to avail appropriate remedy as available in law, Writ Petition is dismissed. Pending miscellaneous petitions if any shall stand closed.

---

[1] 2019 (3) ALT 139
[2] 2020 SCC online S.C. 341

SD/-T.TIRUMALA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,
1. One CC to Sri P. Rama Sharana Sharma, Advocate [OPUC]
2. Two CCs to GP for Home, High Court for the State of Telangana at Hyderabad. [OUT]
3. Two CD Copies.

MP

HIGH COURT

DATED:23/12/2020



ORDER

WP.No.23400 of 2020

DISMISSING THE WRIT PETITION WITHOUT COSTS

(5)
8/1/20