

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.27329 of 2019

ORDER:

The present writ petition is filed to declare the action of the 6th respondent in not entertaining the complaint of the petitioner sent by registered post, on 10.08.2019, and providing necessary police protection for enforcement of the judgment and decree, dated 21.08.2017, granted in O.S.No.65 of 2017 by the learned Junior Civil Judge, Nalgonda, as illegal and arbitrary.

2. Heard learned counsel for the petitioner, learned Assistant Government Pleader for Home and Sri S.Janardhan Goud, learned counsel appearing for respondents 7 and 8.

3. Learned counsel for the petitioner submits that subsequent to obtaining the decree in O.S.No.65 of 2017, the petitioner has filed E.P.No.121 of 2018 for enforcement of the said judgment and decree, before the learned Junior Civil Judge, Nalgonda. It is further submitted that, in the said E.P., the petitioner has also filed an interim application by way of E.A.No.18 of 2019 for the relief of police aid for implementation of the judgment and decree.

4. Since the relief sought for in the present writ petition is same as that of the relief sought for in the E.A., this Court is of the view that the official respondents cannot be directed to extend police aid, more particularly, since the petitioner has availed the remedy under Order XXI Rule 35(3) of the Code of Civil Procedure, 1908, and this Court is also of the opinion that entertaining the present writ petition would amount to maintaining multiple proceedings for the same relief.

5. In that view of the matter, the allegation of the petitioner that the respondent authorities have not considered the complaint of the petitioner, dated 10.08.2019, cannot be gone into. Considering the fact that the petitioner has filed E.A.No.18 of 2019 in E.P.No.121 of 2018 and since the same is pending on the file of the learned Junior Civil Judge, Nalgonda, the petitioner is directed to approach the trial Court for expediting the hearing of the E.A., and upon making such a request, the trial Court shall endeavour to dispose of the said E.A, as expeditiously as possible, preferably within a period of three (3) months thereof.

6. Subject to the above, the writ petition is closed. Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

Date:19.02.2020

GJ

JUSTICE T.VINOD KUMAR

