

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.29051 of 2019

ORDER:

The present writ petition is filed to direct the respondent authorities to initiate criminal action under the provisions of Cr.P.C against the third respondent by duly considering the complaint of the petitioner dated 02.12.2019 for extending police protection to the petitioner and her family members and consequently to declare the action of respondent authorities in not considering the complaint of the petitioner as arbitrary, unjust and violative of Articles 14 and 21 of the Constitution of India.

2. Heard learned counsel for the petitioner, learned Assistant Government Pleader for Home for respondents 1 and 2 and Sri M.Arvind, learned counsel for respondent No.3.

3. It is the case of the petitioner that being aggrieved by the inaction of the revenue authorities as well authorities of Survey and Settlement department in not conducting survey and fixing the boundaries to the subject land of the petitioner, the petitioner has approached this Court on earlier occasion by way of filing W.P.No.38078 of 2018, wherein this Court by order dated 23.10.2018 directed the authorities to consider the application of the petitioner for conducting survey and demarcation of lands. Pursuant to the order passed by this Court, survey authorities have issued notice on 11.09.2019 for conducting survey in respect of lands in Sy.No.256 of Shankarampet village and mandal and fixed the date for such survey. The notice of the said survey was given to various people including the third respondent, who has affixed his signature against his name mentioned at serial No.23 of the said notice. Learned counsel for the petitioner further submits that upon issue of the said notice, the

survey was conducted on 16.09.2019 and the authorities have drawn a panchnama wherein it is noted that the third respondent, who has the land in Sy.No.257/10 is in illegal possession of the land in Sy.No.256. By the said panchnama drawn on the said date, it is also stated that the authorities have identified all the boundaries of Sy.No.256 for demarcation and fixing boundary stones in respect of land admeasuring Ac.6-16 gts in Sy.No.256.

4. Having regard to the fact that the revenue authorities have conducted survey with the help of the authorities from Survey and Settlement department pursuant to the orders of this Court dated 23.10.2018 and drawn a panchnama demarcating the boundaries of land in Sy.No.256, whereat it is clearly noted that the third respondent is in illegal possession of the land in Sy.No.256, this Court is of the view that a direction is to be issued to the second respondent authority to instruct the concerned police authorities of Shankarampet village and Mandal to extend police protection to the life of the petitioner and her family members, in the event of petitioner approaching the police authorities in apprehension of danger to her life from the third respondent.

5. Subject to the above directions, the writ petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE T.VINOD KUMAR

Date:12.02.2020
grk