

**THE HON'BLE SRI JUSTICE T. VINOD KUMAR**

**Writ Petition No.4924 of 2022**

**ORDER:**

This Writ Petition is filed seeking a *Writ of Mandamus* to declare the inaction of respondents 2 to 7 in taking action on the complaints submitted by the petitioner on 02.07.2020 and 24.02.2021 and in giving protection to the petitioner and his family members from the hands of respondents 8 to 18 in preventing the petitioner from purchase of essential commodities, drinking water and not allowing to do agricultural operations and making a social boycott of the petitioner and his family members from the village, as being illegal, arbitrary and violative of Articles 14, 19 and 21 of the Constitution of India.

2. Heard learned counsel for the petitioner; learned Government Pleader for Revenue appearing for respondent Nos.1 to 4; learned Government Pleader for Home appearing for respondent Nos.5 to 7; and Sri K.Venu Madhav, learned counsel, appearing for unofficial respondents 8 to 18, and with their consent, the Writ Petition is taken up for hearing and disposal at the stage of admission.

3. Petitioner contends that unofficial respondents 8 to 18, who are village development committee members, are causing hindrance to petitioner's freedom of movement and are not allowing the petitioner to purchase essential commodities, drinking water and not allowing him from doing agricultural operations in his agricultural fields for the reasons best known to them, which resulted in social boycott to the petitioner and his family members in the village; that aggrieved by the said actions of the unofficial respondents, the petitioner had approached the 7<sup>th</sup> respondent

authority on 02.07.2020 and lodged a complaint; that in spite of the same, since the illegal acts of respondents 8 to 18 had continued, he had made another complaint to the 7<sup>th</sup> respondent on 24.02.2021; that despite the petitioner approaching the respondent authorities regularly and lodging complaints against the illegal acts of respondents 8 to 18, since no action is taken thereon, the said illegal acts are being perpetrated.

4. Petitioner further contends that he had also approached respondents 2 to 4 through Prajavani and the 6<sup>th</sup> respondent on 01.03.2021 and complained about he and his family members being subjected to social boycott at the hands of respondents 8 to 18, and that the said illegal acts are continuing, even as of today, as a result of which, the petitioner is being subjected to severe harassment and is unable to eke out his livelihood.

5. Learned counsel appearing on behalf of unofficial respondents 8 to 18 submits that the allegation of the petitioner that he being subjected to social boycott at the behest of respondents 8 to 18 is totally unfounded and they are willing to welcome him any time and the petitioner for the reasons best known to him, is not coming out and when the respondents also sought to approach him, he is not allowing them to meet and mingle with him. Thus, it is contended that the petitioner had developed a phobia against respondents 8 to 18 and as such, has approached this Court by making false and frivolous allegations.

6. Learned Government Pleader for Home has placed before this Court the Written Instructions dated 27.01.2022 under the signature of the Sub-Inspector of Police, Velpoor Police Station, Nizamabad Commissionerate, and the same is taken on record.

7. By the said Written Instructions, it is stated that on receiving both the complaints dated 02.07.2020 and 24.02.2021, the 7<sup>th</sup> respondent registered cases, vide Crime Nos.36 of 2020 and 21 of 2021 under Sections 385, and 506 read with Section 34 IPC and Sections 447, 427 and 323 read with Section 34 IPC, respectively, and conducted investigation into the above crimes. Upon completion of the investigation into the above crimes, the 7<sup>th</sup> respondent had filed respective charge sheets before the concerned Court and the same are taken on record and have been allotted C.C.Nos.39 of 2021 and 563 of 2021, respectively, and the matters are pending for trial before the concerned Court.

8. By the said Written Instructions, the 7<sup>th</sup> respondent further stated that if the petitioner approaches the 7<sup>th</sup> respondent – Police Station and makes a request, the 7<sup>th</sup> respondent will provide protection to the petitioner and his family by following due procedure.

9. Having regard to the submissions made by the respective learned counsel appearing for the parties, inasmuch as the official respondents have conducted investigation into the complaints made by the petitioner in the year 2020 and 2021 and filed charge sheets before the concerned Court, the allegation of the petitioner of the respondents inaction against the complaints made, cannot be said to be valid. Insofar as claim of respondents 8 to 18 that petitioner had developed phobia against them for no reason also cannot be accepted, as the official respondents – police after conducting enquiry into the complaint made by the petitioner registered crimes and upon completion of investigation also filed charge sheets. If the claim of the respondents that they are always willing to welcome the petitioner is to be accepted as correct, the

respondents – police during investigation could have noted the same and in stead of filing charge sheet would have filed a final report as “not proved” or “undetected”. The factum of respondents – police filing charge sheet against respondents 8 to 18 only goes to show their conduct towards the petitioner and his family members.

10. Insofar as the grievance of the petitioner that the illegal acts of respondents 8 to 18 are being continued even after above two complaints lodged, is concerned, since the 7<sup>th</sup> respondent has now categorically stated that if the petitioner approaches him seeking protection, he will provide the same as per the due procedure, this Court is of the view that the petitioner can be directed to approach the 7<sup>th</sup> respondent by making an application in that direction, which the 7<sup>th</sup> respondent shall take into consideration and extend necessary protection to the petitioner as against the acts of respondents 8 to 18 in accordance with law.

11. Subject to the above directions, the Writ Petition is disposed of.

12. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. No order as to costs.

---

**T. VINOD KUMAR, J**

Date:29.03.2022

GJ

THE HON'BLE SRI JUSTICE T. VINOD KUMAR

**Writ Petition No.4924 of 2022**

**29.03.2022**

