



WEB COPY



W.M.P.No.28629 of 2023

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in

W.P.No.23539 of 2023

N.ANAND VENKATESH,J.

This petition has been filed seeking for modification of the order passed by this Court on 10.08.2023 on the ground that several facts were not brought to the notice of this Court and this Court was not appraised of the pending civil suits.

2. In the considered view of this Court, this Court did not issue any positive direction to the respondent Police to provide Police protection for fencing the subject property.

3. When the matter was taken up for hearing, the learned Additional Public Prosecutor appearing on behalf of the respondent Police submitted that they have not received any representation from the petitioner and that as and when any such representation / complaint is received, the same will be considered on its own merits and a decision will be taken. In view of the same, this Court directed the petitioner to submit the complaint and the respondent Police to consider the same on its own merits and in accordance with law.



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4. The learned Additional Public Prosecutor appearing on behalf of the respondent Police submitted that the respondent Police have not taken any decision to give any Police protection and not even an enquiry has been conducted in this case till date. The learned Additional Public Prosecutor submitted that as and when a representation / complaint is given, the petitioner and also the contesting parties will be called for the enquiry and all the facts and circumstances including the pendency of the civil suits will be taken into consideration and a decision will be taken by the Police.

5. In the light of the above submission made by the learned Additional Public Prosecutor, the apprehension raised by the petitioner, who has filed this modification petition is sufficiently redressed. It is made clear that the respondent Police will take into consideration the pending disputes between the parties and the pending litigations, if any and thereafter, take a decision.



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6. Except giving this clarity, no further orders are required to be passed in this petition and this Writ Miscellaneous Petition is disposed of accordingly.

11.10.2023

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