

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

FRIDAY, THE TWENTY THIRD DAY OF JUNE
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 15970 OF 2023

Between:

Dinesh Sharma, S/o Hastimal Sharma, aged about 33 years, Occ. Business,
R/o H.No.2-3-34/2, Vijayapuri Colony, Uppal, Ranga Reddy District.

...PETITIONER

AND

1. The State of Telangana, Home Department, Secretariat Building, Secretariat, Hyderabad, Rep. by its Principal Secretary.
2. The Director General of Police, Telangana State, Hyderabad.
3. The Commissioner of Police, Rachakonda Commissionerate, Medchal-Malkajgiri District.
4. The Assistant Commissioner of Police, Uppal Circle, Medchal-Malkajgiri District.
5. The Station House Officer, Medipalli Police Station, Rachakonda Commissionerate, Medchal-Malkajgiri District.
6. Kurra Veganad Goud, S/o Kurra Shiva Kumar Goud, Aged about 40 years, Occ. Business, C/o Akshith Real Estate, H.No.3B-02, Narapally Village, Ghatkesar Mandal, Medchal-Malkajgiri District.
7. Amjad, S/o Mahmood Khan. Aged about 40 years, Occ. Business, C/o A.K. Sounds and Tent House, H.No.3B-2, Narapally Village, Ghatkesar Mandal, Medchal-Malkajgiri District.
8. Yousuf, S/o Usman, Aged about 39 years, Occ. Business, C/o Limra Contractions and Real Estate, H.No.3B-02, Narapally Village, Ghatkesar Mandal, Medchal-Malkajgiri 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 issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No.5 in non-receiving the complaint/representation of the petitioner and non-initiating to provide the police protection to the petitioner in respect of the house bearing H.No.3B-02, Sada Shiva Nagar, Narapally, with plinth area of 800 Sq. Yards (including common area. Common Staircase etc) together with an undivided share of land admeasuring 41.665 Sq. yards or 35 Sq. Meters out of total land admeasuring 250 Sq. yards or 210 Sq.meters constructed Plot No.2 in Sy.No.43 part situated at Narapally Village Ghatkesar Mandal, Malkajgiri District, to implement the Judgment and

Decree in O.S.No.2666 of 2019 dated 19.1.2022 on the file of the Principal Senior Civil Judge, Ranga Reddy District at L.B. Nagar, is highly illegal, arbitrary, unconstitutional, violation of Principles of Natural Justice and in violation of Article 14, 21 and 300-A of the Constitution of India and consequently direct the respondent No.5 to receive the complaint/representation of the petitioner and to provide the police protection to the petitioner in respect of the house bearing H.No.3B-02, Sada Shiva Nagar, Narapally, with plinth area of 800 Sft (including common area, Common Staircase etc) together with an undivided share of land admeasuring 41.665 Sq. yards or 35 Sq. Meters out of total land admeasuring 250 Sq. yards or 210 Sq.meters constructed Plot No.2 in Sy.No.43 part situated at Narapally Village Ghatkesar Mandal, Malkajgiri District. to implement the Judgment and Decree in O.S.No.2666 of 2019 dated 19.1.2022 on the file of the Principal Senior Civil Judge, Ranga Reddy District at L.B. Nagar.

IA NO: 1 OF 2023

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 be pleased to direct the respondent No.5 to receive the complaint/representation of the petitioner and to provide the police protection to the petitioner in respect of the house bearing H.No.3-3B-02, Sada Shiva Nagar, Narapally, with plinth area of 800 Sft (including common area, Common Staircase etc) together with an undivided share of land admeasuring 41.665 Sq. yards or 35 Sq. Meters out of total land admeasuring 250 Sq. yards or 210 Sq.meters constructed Plot No.2 in Sy.No.43 part situated at Narapally Village Ghatkesar Mandal, Malkajgiri District, to implement the Judgment and Decree in O.S.No.2666 of 2019 dated 19.1.2022 on the file of the Principal Senior Civil Judge, Ranga Reddy District at L.B. Nagar pending disposal of the writ petition.

Counsel for the Petitioner: SRI RAPOLU BHASKAR
Counsel for the Respondent Nos.1 TO 5: GP FOR HOME
Counsel for the Respondent Nos.6 TO 8: ---

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE C.V.BHASKAR REDDY

WRIT PETITION No.15970 of 2023

ORDER :

This writ petition is filed seeking the following relief:

"....to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No.5 in non-receiving the complaint/representation of the petitioner and non-initiating to provide the police protection to the petitioner in respect of the house bearing H.No.3B-02 Sada Shiva Nagar, Narapally, with plinth area of 800 Sft (including common area, Common Staircase etc) together with an undivided share of land admeasuring 41.665 Sq.yards or 35 Sq.Meters out of total land admeasuring 250 Sq.yards or 210 Sq.meters constructed Plot No.2 in Sy No.43 part situated at Narapally Village, Ghatkesar Mandal, Malkajgiri District to implement the Judgment and Decree in O.S. No. 2666 of 2019 dated 19.01.2022 on the file of the Principal Senior Civil Judge, Ranga Reddy District at LB.Nagar, is highly, illegal, arbitrary, unconstitutional, violation of Principles of Natural Justice and in violation of Article 14, 21 and 300-A of the Constitution of India and consequently direct respondent No. 5 to receive the complaint/representation of the petitioner and to provide the police protection to the petitioner in respect of the house hearing H.No.3-3B-02 Sada Shiva Nagar, Narapally, with plinth area of 800 Sft (including common area, Common Staircase etc) together with an undivided share of land admeasuring 41.665 Sq yards or 35 Sq.Meters out of total land admeasuring 250 Sq yards or 210 Sq.meters constructed Plot No.2 in Sy.No 43 part situated at Narapally Village, Ghatkesar Mandal, Malkajgiri District to implement the Judgment

and Decree in O.S.No.2666 of 2019 dated 19.01.2022 on the file of the Principal Senior Civil Judge Ranga Reddy District at L B Nagar and pass..."

2. The grievance of the petitioner is that respondent No.5- Station House Officer, Medipalli Police Station, is not receiving the complaint/representation of the petitioner for providing police protection to the petitioner in respect of house bearing No.3B-02 situated at Sada Shiva Nagar, Narapally, in implementation of judgment and decree passed in O.S.No.2666 of 2019 dated 19.01.2022.

3. Learned Government Pleader for Home appearing for respondent Nos.1 to 5 has submitted that complaint, dated 10.03.2023, said to have been submitted by the petitioner has not been received and if the petitioner submits fresh written complaint and if the said complaint discloses any cognizable offence, the respondent police shall examine the same and provide police protection in terms of judgment and decree in O.S.No.2666 of 2019 dated 19.01.2022.

4. In view of the said submission, the writ petition is disposed of directing the petitioner to submit a fresh complaint to respondent police and in the event the police are not

registering the said complaint, the petitioner is permitted to take assistance of an Advocate to enable him to file a complaint with the respondent police or send the same through a registered post with acknowledgment due and if such complaint has been received by respondent No.5, he is directed to take appropriate steps in accordance with law for providing police protection to the petitioner. No costs.

As a sequel thereto, miscellaneous applications, if any, pending in this Writ Petition shall stand closed.

//TRUE COPY//

SD/-A.V.S.PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

To

1. The Principal Secretary, Home Department, Secretariat Building, Secretariat, Hyderabad, State of Telangana,.
2. The Director General of Police, Telangana State, Hyderabad.
3. The Commissioner of Police, Rachakonda Commissionerate, Medchal-Malkajgiri District.
4. The Assistant Commissioner of Police, Uppal Circle, Medchal-Malkajgiri District.
5. The Station House Officer, Medipalli Police Station, Rachakonda Commissionerate, Medchal-Malkajgiri District.
6. One CC to SRI RAPOLU BHASKAR, Advocate [OPUC]
7. Two CCs to GP FOR HOME, High Court for the State of Telangana, at Hyderabad. [OUT]
8. Two CD Copies

PSK.

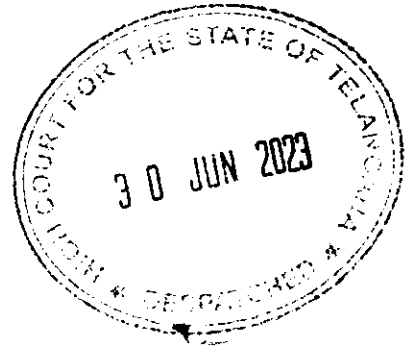
GJP

HIGH COURT

DATED:23/06/2023

ORDER

WP.No.15970 of 2023



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.**

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MA
30/6/23