
(2022) 03 TEL CK 0080
In the Telangana High Court
Case No : Writ Petition No. 13554 Of 2022

Ravula Gopal Reddy

APPELLANT

Vs

State Of Telangana

RESPONDENT

Date of Decision : 28-03-2022

Acts Referred:

Citation : (2022) 03 TEL CK 0080

Hon'ble Judges : T. Vinod Kumar, J

Bench : Single Bench

Advocate : M Madhava Reddy

Final Decision : Disposed Of

Judgement

1. This Writ Petition is filed seeking a Writ of Mandamus to declare the action of respondent Nos.2 and 3 in not providing police protection to the petitioner's property admeasuring Ac.0.20 guntas situated in Sy.No.1261/a3/1 of Pallepahad Village, Narketpally Mandal, Nalgonda District, in spite of the order passed in E.A.No.3 of 2022 in E.P.No.42 of 2020 on the file of the I Additional Junior Civil Judge-cum-Special Mobile Magistrate, Nalgonda, dated 08.01.2022, as illegal, arbitrary and unconstitutional.

2. Heard counsel for the petitioner and learned Government Pleader for Home appearing for respondent Nos.1 to 3. With their consent, the Writ Petition is taken up for hearing and disposal at the stage of admission.

3. Petitioner contends that, when respondent Nos.4 and 5 and others started interfering with his possession, he had filed a suit, vide O.S.No.64 of 2008 before the Junior Civil Judge, Nalgonda, against them, for perpetual injunction, in respect of the suit schedule property; that the said suit was decreed in his favour on 19.09.2013; that for implementation of the said decree, the petitioner had filed E.P.No.42 of 2020 before the trial Court; that in spite of obtaining a decree in his favour, as the unofficial respondents continue to interfere with his possession, the petitioner had filed E.A.No.3 of 2022 in the said E.P; that the

trial Court, by its order, dated 08.01.2022, was pleased to direct the 2nd respondent herein to provide necessary protection to the petitioner in respect of the E.P. schedule property from the respondents and their henchmen, servants, relatives etc. from causing illegal interference; that pursuant to the said order, the petitioner had approached the respondents by addressing a letter dated 04.03.2022 to the 2nd respondent, praying police aid; and that in spite of the trial Court passing an order granting police protection and the petitioner approaching the respondents, in particular the 2nd respondent, they are not extending the said protection, which amounts to showing disrespect to the orders of the trial Court.

4. Learned Government Pleader for Home, on the other hand, submits that the respondent authorities, in particular the 2nd respondent, would abide by the order passed by the trial Court by extending necessary police protection, if the petitioner approaches the said authority by mentioning the date and time.

5. Having regard to the submissions made as above, since the petitioner had obtained decree in his favour and that trial Court also having granted police protection for implementation of the said decree in the execution proceedings, and since the petitioner approached the respondents by addressing a letter dated 04.03.2022, the respondents cannot refuse to take steps to implement the order passed by the trial Court by extending necessary protection to the petitioner in respect of the E.P. schedule property.

6. In view of the same, taking note of the request made by the petitioner, vide his letter dated 04.03.2022, the 2nd respondent is hereby directed to extend necessary police protection, to the petitioner, in respect of the E.P. schedule property, on 06.04.2022. However, it is made clear that the petitioner shall identify the E.P. schedule property for the 2nd respondent to extend necessary police protection for implementation of the order dated 08.01.2022.

7. Subject to the above observation, the Writ Petition is disposed of.

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