

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
FRIDAY, THE TWENTY NINTH DAY OF JULY
TWO THOUSAND AND TWENTY TWO
PRESENT**

**THE HONOURABLE THE CHIEF JUSTICE UJJAL BHUYAN
AND
THE HONOURABLE MRS JUSTICE SUREPALLI NANDA
WRIT APPEAL NO: 480 OF 2022**

Between:

1. Maddela Kishtaiah, S/o. Rajaiah, Aged. 64 years, Occ. Agriculture, R/o. Mirdoddi Village and Mandal, Siddipet District.
2. Maddela Narsimlu, S/o. Kishtaiah, Aged. 44 years, Occ. Agriculture, R/o. Mirdoddi Village and Mandal, Siddipet District.

...APPELLANT(S)

AND

1. Bekkanti Devaiah, S/o. Balaiah, Aged about 46 yrs, Occ. Agriculture, R/o. Mirdoddi Village and Mandal, Siddipet District.
2. Bekkanti Murali, S/o. Balaiah, Aged about 44 yrs, Occ. Agriculture, R/o. Mirdoddi Village and Mandal, Siddipet District.
3. The State of Telangana, represented by its Principal Secretary, Home Department, Secretariat, Hyderabad
4. The Station House Officer, Mirdoddi Police Station, Mirdoddi, Siddipet District.
5. Dara Mallaiah, S/o. Not known, Aged about 34 yrs, Occ. Agriculture, R/o. Mirdoddi Village and Mandal, Siddipet District.
6. Yelpula Kumar, S/o. Narayana, Aged about 35 yrs, Occ. Agriculture, R/o. Mirdoddi Village and Mandal, Siddipet District

...RESPONDENTS

Writ Appeal under clause 15 of the Letters Patent Appeal Preferred Against the Order Dated 27/06/2022 Passed in W P No 27014 of 2022 on the file of the High Court.

IA NO: 2 OF 2022

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 to Suspend the orders passed in WP.No. 27014 of 2022 dt.27.06.2022, pending disposal of the above Writ Appeal, and pass

Counsel for the Appellants: SRI. KOTAGIRI SREEDHAR

Counsel for the Respondents 1 AND 2: MR. P. ASHOK GOUD

Counsel for the Respondents 3 AND 4: MR. T. SRIKANTH REDDY, GP FOR HOME

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE UJJAL BHUYAN

AND

THE HON'BLE MRS JUSTICE SUREPALLI NANDA

Writ Appeal No.480 of 2022

JUDGMENT : *(Per the Hon'ble the Chief Justice Ujjal Bhuyan)*

Heard Mr. K.Sreedhar, learned counsel for the appellants; Mr. P.Ashok Goud, learned counsel for respondents No.1 and 2; and Mr. T.Srikanth Reddy, learned Government Pleader for Home appearing for respondents No.3 and 4.

2. This intra court appeal has been preferred assailing the legality and validity of the order dated 27.06.2022 passed by the learned Single Judge disposing W.P.No.27014 of 2022 filed by respondents No.1 and 2.

3. Order dated 27.06.2022 reads as under:

"Heard the learned counsel for the petitioners and the learned Government Pleader for Home for respondents 1 and 2. With their consent, the writ petition itself is disposed of at the admission stage.

Seeking to declare the inaction of respondent No.2 in not providing police protection in I.A. No.29 of 2020 in I.A. No.26 of 2018 in O.S. No.90 of 2018 on the file of Junior

Civil Judge-cum-Judicial Magistrate of First Class, Dubbak, for implementing the injunction order dated 05.12.2019 passed in I.A. No.216 of 2018 in O.S. No.90 of 2018, as illegal and arbitrary, the present Writ Petition is filed.

Having regard to fact that the Civil Court has already granted injunction orders in favour of the petitioners herein on 05.12.2019 in I.A. No.216 of 2018 in O.S. No.90 of 2018, the petitioners are directed to make an appropriate representation before respondent No.2 seeking police protection for implementation of the Civil Court order dated 05.12.2019, as expeditiously as possible, preferably, within a period of two weeks from the date of receipt of a copy of this order. On such representation being filed, the respondent No.2 shall provide necessary police aid for implementation of the order dated 05.12.2019 passed in I.A. No.216 of 2018 in O.S. No.90 of 2018 by the Junior Civil Judge-cum-Judicial Magistrate of First Class, Dubbak, within a period of two weeks thereof.

Accordingly, the Writ Petition is disposed of."

4. From the above, we find that there is an injunction order in favour of respondents No.1 and 2. Respondent Nos.1 and 2 approached the writ Court seeking a direction to the police authorities to provide police cover to them to enjoy the benefit of the injunction order. Accordingly, learned Single Judge directed respondents No.1 and 2 to make appropriate representation before respondent No.4,

who was directed to provide necessary police aid for implementation of the injunction order.

5. Learned counsel for the appellants submits that appellants were arrayed as respondents No.3 and 4 in the writ proceedings, but without issuing notice to them, the writ petition was disposed of. He further submits that it was not correct for respondents No.1 and 2 to state in the writ affidavit that order of injunction had become final as no appeal was filed. According to learned counsel for the appellants, an appeal has been filed, being CFR No.453 of 2020.

6. On a query by the Court as to whether the injunction order has been interfered with by the appellate Court, learned counsel for the appellants submits in the negative.

7. On due consideration, we are of the view that even if notices were issued to the appellants, the same would not have made any material difference to the ultimate decision of the learned Single Judge. As on today, there is an injunction order in favour of respondents No.1 and 2, who

are entitled to enjoy the fruits of the injunction order. We do not find any error or infirmity in the order of the learned Single Judge to warrant interference.

8. Consequently, writ appeal is dismissed.

Miscellaneous applications pending, if any, shall stand closed. However, there shall be no order as to costs.

//TRUE COPY//

Sd/-I. NAGA LAKSHMI
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. One CC to SRI. KOTAGIRI SREEDHAR Advocate [OPUC]
2. One CC to SRI. P. ASHOK GOUD Advocate [OPUC]
3. Two CC's To GP FOR HOME, High Court, at Hyderabad.
4. Two CD Copies

HIGH COURT

**UBJ &
SNJ**

DATED: 29/07/2022



ORDER

WA.No.480 of 2022

WA IS DISMISSED WITHOUT COSTS

⑦
RM
LS/11