

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD  
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH

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**WRIT PETITION No. 36474 of 2015**

**BETWEEN**

P.Chakradhara Rao

**... PETITIONER**

**AND**

The State of Telangana, rep. by its Principal Secretary and others

**...RESPONDENTS**

Date of Order pronounced: 02.11.2015

**THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR**

1. Whether Reporters of Local newspapers Yes/No

may be allowed to see the Judgments?

2. Whether the copies of judgment may be Yes/No

marked to Law Reporters/Journals?

3. Whether his Lordship wish to see the Yes/No

fair copy of the Judgment?

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**ORDER:-**

Heard

2. This writ petition is thoroughly misconceived. Petitioner claims to be in possession of land to an extent of Ac.3-00 in survey No.6 at Poodur Village, Medchal Mandal, Ranga Reddy District. It is stated that petitioner has already approached the Court of Principal Junior civil Judge, Medchal, which has granted an interim injunction in I.A.No.680 of 2015 in O.S.No.215 of 2015 dated 22.09.2015. While the said injunction is in force, complaining that respondent Nos.5 to 7 are still interfering with his possession, petitioner has filed a complaint which was registered as a case in Crime No.587 of 2015 dated 25.09.2015 before the Police Station, Medhcal for the offence under Sections 447 and 546 r/w 34 IPC. During the course of investigation, the Station House Officer under his proceedings No.587/CR/2015 dated 13.10.2015 requested the Tahsildar to furnish ownership particulars of the said land including details of present occupants for taking further action. Petitioner questions the said letter alleging that the fourth respondent has colluded with respondent Nos.5 to 7 and is trying to dispossess the petitioner.

3. On the face of it such allegation cannot be accepted as the fourth respondent has been requested by the third respondent to furnish the details as per revenue record as a part of investigation in Crime No.587 of 2015.

4. Learned counsel or the petitioner objects to the requisition of the third respondent on the ground that the third respondent could have taken steps under Section 91 Cr.P.C. and on that ground seeks to question the impugned proceedings dated 13.10.2015 whereunder the third respondent sought details as per the revenue record from the fourth respondent as part of investigation.

5. I am unable to see any illegality in the actions of the third respondent as he is bound to investigate the crime registered and in the course of investigation as a part thereof sought details from the Tahsildar. Petitioner having filed the complaint cannot therefore seek or direct the manner in which the investigation has to be completed. Section 91 Cr.P.C., on which reliance is placed, is merely an enabling provision. I, therefore, see no reasons to entertain the writ petition

Writ petition is accordingly dismissed. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

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VILAS V. AFZULPURKAR, J

November 9, 2015

**LMV**