

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.25677 OF 2015

ORDER:

This writ petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue an order or direction more particularly one in the nature of writ of mandamus or any other appropriate writ declaring the action of the respondent Nos.2 and 3 in not taking any action basing on the FIR No.158 of 2015 of PS Metpally, Karimnagar District, which is registered for the offence punishable under Section 420, 447, 427, 504 and 506(ii) of IPC out of which one of the offence is cognizable and non-bailable is nothing but arbitrary, illegal, null and void and also violative of principles of natural justice and also violative of Articles 14, 19 and 21 of the constitution of India. Consequently, direct the respondents No.2 and 3 to take necessary action against the respondent No.4 basing on the F.I.R.No.158 of 2015 of PS Metpally, Karimnagar district and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.”

2. When the matter is called today, written instructions dated 19.08.2015, furnished by the Station House Officer, Metpalli Police Station, Karimnagar District, have been placed on record by the learned Government Pleader for Home and the said instructions read as under:

“It is respectfully submitted that one Guntuka Aravind/the filed private complaint before the JFCM Court Metpalli stating that they were exclusive owners and possessors of an agricultural dry land in SY. No.1188, total extent of 1-39 gts situated at Metpalli Proper and Mandal, Karimnagar District. It is further submitted that one Nampalley Maruthi/the 4th respondent herein with a dishonest intention to grab the land, he had created a bogus register by creating fabricated signatures of sale deed into the above said land, hence

requested to take necessary action, after receiving the respondent police registered a Cr.No.158/2015 U/Sec.420, 4477, 427, 504 and 506(ii) IPC dt.23.06.2015 of Metapalli Police Station.

The investigation officer took up the investigation, during the course of the investigation, as many as witness were examined and made a requisition to the Tahsildar of Metpalli & the Municipal Commissioner to provide the information of the above said land dry land in SY. No. 1188, total extent of 1-39 gts situated at Metpalli Proper and Mandal, Karimnagar District on 10.07.2014 and the reports are awaited.

It is further submitted that one Notice U/Sec.91/14 Cr.P.C. also issued to complainant to produce relevant documents, after getting information, the respondent police will act as per Law.”

3. On noticing the said written instructions, learned counsel for the petitioner requested this court to dispose of the writ petition by recording the said written instructions.
4. In view of the above, writ petition stands disposed of, by recording the written instructions dated 19.08.2015, furnished by the Station House Officer, Metpalli Police Station, Karimnagar District.
5. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

04th September, 2015
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