

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

W.P.No.17501 of 2015

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ORDER:

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

“To issue a writ, order or direction more fully in the nature of Writ of Mandamus directing the respondents No.1 to 3 to investigate into crime Nos. 34/2015. 40/2015 registered against Respondents No.4 to 31 and other complaints of the petitioners and give protection to life and property of petitioners and their men i.e.. an extent of Ac.5-27 cents of land in R.S.No.4/IA/A of Chillaboyinapalli Village Musunuru Mandal, Krishna District by declaring the inaction on the part of the respondents No.1 to 3 is illegal, improper, arbitrary and violative of Article 300-A of Constitution of India besides being opposed principles of Natural Justice.”

2. Heard Smt. K.Sesha Rajyam, learned Senior Counsel appearing for the learned counsel for the petitioners on record and the learned Government Pleader for Home.

2. When the matter is called today, written instructions dated 22.06.2015 furnished by the Sub-Inspector of Police, Musunuru Police Station, Krishna District have been placed on record by the learned Government Pleader and the said instructions read as under:

“It is respectfully submitted that there is land disputes between one Gannamani Krishna Veni and Kambampati Ammaji who are the petitioners herein at extent of Ac.5-27 cents of land in R.S.No.41/AA of Chillaboyinapalli Village, Musunuru Mandal, Krishna District, hence the Mandal Revenue Officer of Musunuru Mandal issued 145 Cr.P.C proceedings for maintain law and order in the village. But the above said respondent entered in to the above said land hence a case was registered in Cr.No.23/2015 U/Sec.448, 188 IPC of Musunuru Police, Krishna District and the case is also pending.

It is further submitted that the above said petitioners lodged 3 complaints registered with the Musunuru Police Station, Krishna District vide

1. Cr.No.27/2015, U/Sec 447, 378 IPC of Musunuru PS.
2. Cr.No.34/2015 U/Sec. 447, 427 r/w 34 IPC of Musunuru PS.
3. Cr.No.36/2015 U/Sec.341 r/w.34 IPC of Musunuru PS, which was registered against the Respondents.

It is further submitted that on 30.03.2015 the respondent police lodged a complaint with Musunuru Police Station stating that on 11.03.2015 the above said respondents Balla Nagaraju Gaddala Ashitanandam & Some others are criminally trespassed his lands and damaged the fencing polls, hence requested to take necessary action. Hence Cr.34/2015 was registered U/Sec.447, 427, r/w 34 IPC of Musunuru Police Station in this Cr.No.34/2015 the respondent police examined 11 witness including the complainant and the case is under investigation.

It is further submitted that again the above said persons trespassed his lands and damaged fencing polls and stones, basing on the above said complaint a case was registered in Cr.No.40/2015 U/Sec. 447, 427 r/w 34 IPC of Musunuru Police Station in this Cr.No.40/2015 the respondent police examined 9 witness including complaint, and the case is under investigation.

It is respectfully submitted that on 10.04.2015 the above said respondents lodged complaint with the Musunuru police station against the petitioners stating that they abused them with filthy language by using caste name hence a case was registered in Cr.No.41/2015 U/Sec.447, 506 r/w 34 IPC Sec.3 (1) (x) SCST POA Act 1989 and the same was also pending.

It is further submitted that the respondents are creating law and problem in the village by conducting Dharnas etc. by violating the orders of the M.R.O. Hence the total matter is sensitive, hence the respondent police will taking steps to complete the investigation by maintaining Law and Order in the Village.

The respondent police will abide the direction if any passed by this Hon'ble Court."

3. On noticing the said instructions, learned counsel for the petitioners requested this Court to dispose of the writ petition by recording the said instructions.

3. In view of the above instructions, the writ petition is disposed of, by recording the instructions dated 22.06.2015 furnished by the Sub-Inspector of Police, Musunuru Police Station, Krishna District. As a sequel, pending miscellaneous petitions, if any, shall stand disposed of. No costs.

Date:29.10.2015

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132

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

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Dated 29th October, 2015

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