

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.6290 of 2015

ORDER:

Heard.

The petitioners that they are grand sons of original plaintiff and are successors to the suit schedule property. It is stated that by virtue of the order of the Additional Senior Civil Judge, Eluru, in E.P.No.32 of 2012 in O.S.No.122 of 1981, the possession of the lands admeasuring Ac.19-13 cents in R.S.No.295/2 and Ac.16-69 cents in R.S.No.296 situated at Kamavarapukota Village and Mandal, West Godavari District, was handed over to them on 12-01-2015. However, the encroachers are allegedly obstructing the petitioners from entering into the agricultural land and threatening them with deadly weapons. Hence, the petitioners filed complaints before respondents 2 and 4 requesting them to take action against the said third parties and also to provide security to their life and property. However, alleging inaction, the present writ petition is filed.

Learned Government Pleader has received instructions, which state that Court Ammina appears to have handed over possession to the petitioners. It is stated that basing on the complaint of the petitioner, the 4th respondent has already registered a case in Cr.No.27 of 2015 for the offences punishable under Sections 447 and 506 read with 34 IPC on 17-03-2015 and took up investigation. It is stated that investigation will be completed and final report will be filed before the court concerned expeditiously.

In view of registration of crime and pending investigation as aforesaid, the grievance of the petitioner does not subsist. However, the petitioner's request seeking protection appears to have not been considered by the 4th respondent. Hence, the 4th respondent shall take appropriate steps in that regard by assessing the situation on ground and he shall also complete the investigation and file appropriate report before the Court

concerned expeditiously.

Accordingly, the writ petition is disposed of. No order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 19-03-2015

Prv

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

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