

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

**WRIT PETITION No.25358 OF 2015**

**ORDER:**

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

“to issue Writ of Mandamus or order or direction declaring the inaction of the 4<sup>th</sup> Respondent/ Investigating Officer in not concluding the Investigation and filing Charge Sheet in FIR No.183/2015 on the file of Miyapur Police Station (transferred FIR NO.279/2014 dt.30-10-2014 from CCS Hyderabad) as improper, illegal and arbitrary besides being violative of Fundamental Rights Guaranteed to the Writ Petitioners under

Articles 19, 21 and 300-A of the Constitution of India and consequently direct the Respondents No.2 to 4 herein to conduct thorough and comprehensive enquiry about the cheating and fraud played by the Respondents No. 5 to 14 on the Writ Petitioners and pass such other Order or Orders as this Hon'ble Court may deem fit and proper in the circumstances of the Case, and to pass such other order or orders as this Hon'ble Court may deems fit just and proper in the circumstances of the case.”

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

*“On a complaint lodged by the petitioner herein, a case in Cr.No.279/2014 U/secs.403, 406, 420, 120 (B) IPC was registered on the file of Central Crime Station, DD, Hyderabad on 30.10.2014 and investigated into.*

*Subsequently, the said CD file was transferred to this respondent police station.*

*Upon receipt of the above CD file from the CCS, Hyderabad, the said case was re-registered as Cr.No.183/2015 U/secs.403, 406, 420, 120 (B) IPC*

*on 20.3.2015 and taken up the investigation.*

*The sum and substance of the complaint of the petitioner-complainant is that the accused persons A1 Mr.Vanka Vasundera Rao, A2.Vanka Surya Prabha, M/s.VVR Housing India Pvt.Ltd., and their marketing staff colluded with Mr.A.Sridhar and the Sub Registrar, Qutubullapur were developed a venture on the name of Dundigal Paradise sited at [Sy.No.10](#) and 11, Dundigal village, Qutubullapur Mandal, RR District through VVR Housing India Pvt.Ltd., with Miyapur Branch and appointed a CEO Bhanu Satyanarayana Murthy, sold the plots after taking full payment and registered on their names and failed to provide the several amenities ie., drainage, street lamps 300 feet road and also failed to give the possession of the plots and cheated the complainant and others.*

*During the course of investigation, the investigation officer examined the complainant-petitioner and some other witnesses and recorded their detailed statements. A letter was addressed to the Sub Registrar Office, Qutubullapur requesting him to furnish the certified copies of all the documents the accused society registered on their names. The reply of the Sub Registrar is awaited.*

*A letter was also addressed to the Branch Manager, SBH, Panjagutta Branch, Hyderabad requesting the authorities to furnish the account details of the cheques which was encashed by the accused persons. The reply of the Bank authorities is also awaited.*

*It is respectfully submitted that the investigation is pending for want of examination of some more witnesses and for collection of material evidence. Prima facie case is yet to be made out against the accused in the FIR.*

*It is humbly submitted that almost all the averments made in the affidavit filed in support of the writ petition are the subject matter of investigation in Cr.No. 183/2015 for which a detailed fair and impartial investigation is under hectic progress. Necessary steps will be taken against the accused in the FIR depending upon the evidence adduced during the course of investigation.*

*I humbly submit that I assure to this Hon'ble Court*

*that the investigation will be completed as expeditiously as possible and an appropriate report U/sec.173 Cr.P.C will be filed before the concerned Hon'ble Court by following the due procedure at the earliest."*

3. On noticing the said written instructions, learned counsel for the petitioner requested this court to record the said instructions and direct the respondent police authorities to expedite the investigation.

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, Miyapur Police Station, Cyberabad Commissionerate and the respondent police authorities are directed to complete the investigation as expeditiously as possible and file a final report in accordance with law.

5. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

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**A.V.SESHA SAI, J**

19<sup>th</sup> August, 2015

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