

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

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WRIT PETITION No.5996 OF 2012

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Between:

Smt. Benjaram Ajitha Reddy

.. Petitioner

And

The District Collector, Nizamabad, A.P. and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 12-08-2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Lordship wish to
see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.5996 of 2012

ORDER:

This writ petition was filed assailing the inaction of the police
authorities in proceeding against the tenth respondent company for

digging and lifting gravel and mud from the patta lands of the petitioner in Sy.Nos.319 and 321 of Nadipally Village, Dichpally Mandal, Nizamabad District. She sought a consequential direction to the police authorities to investigate Crime No.303 of 2011 on the file of Dichpally Police Station and also certain other reliefs against the tenth respondent company.

A separate prayer was made by her to direct the Government of Andhra Pradesh represented by the Director, Anti-Corruption Bureau, Hyderabad, to investigate into the disproportionate assets acquired by respondents 11 and 12 viz., the Mandal Revenue Officer, Dichpally, and the Circle Inspector of Police, Dichpally.

A counter-affidavit was filed by the Sub-Inspector of Police, Dichpally Police Station, Nizamabad District, as long back as in March 2012, stating to the effect that the investigation in the afore-stated crime was on the verge of being completed. In view of that, the learned Assistant Government Pleader for Home was asked to get instructions as to the present status. Thereupon, the office of the learned Government Pleader for Home obtained written instructions dated 29.07.2015 from the Sub-Inspector of Police, Dichpally Police Station, Nizamabad District, wherein it was stated that upon the complaint made by the petitioner to the Station House Officer, Dichpally Police Station, Crime No.303 of 2011 was registered under Sections 427 and 447 I.P.C. The tenth respondent company was shown as the accused therein along with revenue and mining authorities. After completion of investigation, the police authorities laid a charge sheet before the learned II Additional Judicial Magistrate of First Class, Nizamabad, vide C.C.No.372 of 2014. The case was stated to be pending trial.

Sri K.M. Mahender Reddy, learned counsel for the petitioner, states, on instructions, that the petitioner is giving up the relief sought in the writ petition as regards the action to be taken as against the Mandal Revenue Officer and the Circle Inspector of Police, Dichpally.

As regards the other prayer seeking reliefs against the tenth respondent company, the same would not fall within the scope of the writ jurisdiction of this Court. It would be open to the petitioner to avail appropriate civil remedies in this regard before the competent forum.

As regards the main prayer in the writ petition, which was as to the alleged inaction on the part of the police authorities in relation to Crime No.303 of 2011, the said grievance no longer survives for consideration as the police authorities not only completed the investigation but also laid a charge sheet before the competent criminal court.

In that view of the matter, the writ petition is closed. It shall be open to the petitioner to take appropriate measures before the competent criminal court in the event she still has any grievance with regard to Crime No.303 of 2011.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

JUSTICE SANJAY KUMAR

12th August, 2015
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