

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

W.P.No.23004 of 2015

ORDER:

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

“ to issue a Writ of mandamus, more particularly, one in the nature of writ, order or directions, declaring the action of the 3rd respondent in not registering the FIR on the complaint lodged by petitioner dt.20-06-2015 as illegal, arbitrary and violation of principles of natural justice, and consequently, direct the respondents No.1 to 3 herein to conduct an enquiry about the illegal layout obtained by Respondents No. 4 & 5 in Sy.No.138/2B as per the complaint dated 20- 06-2015 submitted on the file of the Respondent No. 2 & 3 herein.”

2. The grievance of the petitioners in the writ petition is non-registration of the complaint dated 20.06.2015 said to have been made by the petitioners herein.

3. When the matter is called, written instructions dated 12.08.2015 furnished by the Sub-Inspector of Police, A.S.Peta Police Station, SPSR, have been placed before this Court by the learned Government Pleader. The said written instructions read as under:

“It is respectfully submitted that one Varikonda Vijaya Shanker son in law of the petitioner herein lodged complaint against one Utukuri Venkateswara Rao and his brother Utukuri mallikarjuna Rao/4th and 5th respondents stating that they have acquired the property in Sy.No.138/2B to the extent of Ac.2.72 Cents and out of the same, an extent of Ac.2.24 cents. The above said 4th and 5th respondent suppressing the above facts, have created fraudulent layout for total extent ac.2.72 cents including the Government land to an extent of 0.48 cents and obtained a layout from the Grampanchayat without disclosing the above facts to the knowledge of the Panchayat Secretary and the authorities for conversion of agricultural land into non agricultural use, hence this complaint.

It is further submitted that after receiving the same the respondent police registered a case in Cr.No.80/2015 U/Sec.420, 120B r/w 34 IPC of A.S Peta Police Station and the

investigation is taken up by the investigation officer.”

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

5. In view of the said submission of the learned counsel for the petitioners, the writ petition is disposed of, by recording the written instructions furnished by the Sub-Inspector of Police, A.S.Peta Police Station, SPSR. As a sequel, pending miscellaneous petitions, if any, shall stand closed. No costs.

A.V.SESHA SAI, J

Date:17.08.2015
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W.P.No.23004 of 2015

Dated 17th August, 2015

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THE HON’BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.23004 of 2015

Date: 17th August, 2015

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Between:

Vutukuru Babu Rao and another.

... Petitioners

and

The State of A.P,
represented by its Principal Secretary,
Home Department, Secretariat at
Hyderabad and others.

... Respondents

DATE OF JUDGMENT PRONOUNCED: 17th August, 2015

SUBMITTED FOR APPROVAL: 17th August, 2015

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THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

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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 |