

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.24583 OF 2012

DATED 25th JUNE, 2015

Between:

E.C.M. High School, Kurnool

.. Petitioner

and

The Government of Andhra Pradesh
Rep. by its Principal Secretary,
Revenue Department and others

.. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

-
WRIT PETITION NO.24583 OF 2012

-
ORDER

The petitioner is a Christian minority school. Its grievance is that the police authorities were not taking action to protect its property from being grabbed by the eighth respondent in spite of the letter dated 21.05.2010 addressed by the District Collector, Kurnool.

The Inspector of Police, II Town Police Station, Kurnool District, filed a counter-affidavit stating that pursuant to the letter dated 21.05.2010 of the District Collector, Kurnool, the police authorities registered Crime Nos.47 of 2010 and 57 of 2011 upon the complaint made by the petitioner school. Crime No.47 of 2010 was registered under Sections 406 and 420 IPC, while Crime No.57 of 2011 was registered under Sections 447 and 506 IPC. Both the offences were registered on the file of the II Town Police Station, Kurnool. However, upon due investigation, the police authorities filed final reports in both the cases before the competent Court reporting that the cases were civil in nature. The Inspector of Police further stated that the petitioner school lodged a complaint against the eighth respondent and thereupon, an entry was made in the General Diary of the police station. However, upon enquiry with the eighth respondent, the police found that he was in possession of certain documents, whereby he claimed ownership and title. Upon such preliminary enquiry into the complaint of the petitioner school, the police authorities came to the conclusion that the dispute between the petitioner school and the eighth respondent was purely a civil dispute. The petitioner school was therefore advised to approach the competent civil Court to seek redressal.

Sri K.V. Raghuveer, learned counsel for the petitioner school, would concede that there are civil suits pending between his client and others in respect of the subject properties.

In that view of the matter, it is for the petitioner school to avail appropriate remedies in accordance with law, if it is aggrieved by the conclusion arrived at by the police authorities in so far as further action on the criminal side is concerned.

Reserving liberty to the petitioner school to do so, the writ petition is closed. Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

SANJAY KUMAR, J

25th JUNE, 2015
PGS