

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43575 of 2016

ORDER:

This writ petition is filed seeking to declare the inaction of respondents 2 to 5 in not registering crime on the complaint made by the petitioner on 05.12.2016 and consequently direct the respondent authorities to forthwith register the criminal case against respondents 6 to 9.

Heard and perused the material available on record.

The case of the petitioner is that the petitioner's mother was the absolute pattadar and owner of the land admeasuring Ac. 1.32 guntas in Survey No.91 of Allampally Village, Vikarabad Town & Municipality, Vikarabad District and she executed a registered will deed, dated 28.08.1989, in favour of the petitioner and respondents 6 & 7, who are brother and sister-in-law of the petitioner. The grievance of the petitioner is that respondents 6 to 9 have illegally alienated the property to an extent of Ac. 0.10 guntas to some third party, basing on which the petitioner made a complaint on 05.12.2016 to the 5th respondent, but till today, the 5th respondent has not registered the same and not taken any action against respondents 6 to 9.

Considering the grievance of the petitioner, the 5th respondent is directed to register a case against respondents 6 to 9, if the complaint lodged by the petitioner, dated 05.12.2016, discloses any cognizable offence and investigate into the same and file a final report, if any. If the petitioner is aggrieved by the action of the 5th respondent, he is at liberty to approach the superior

officer of the 5th respondent and also to approach the concerned Court by invoking provision under Section 200 Cr.P.C.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO, J

Date: 15th December, 2016

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