

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38416 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the inaction of the 3rd respondent in registering the case on the complaints of the petitioner, 08.10.2016 and 03.11.2016, as illegal and arbitrary and consequently, direct the 3rd respondent to register the case.

Heard and perused the material available on record.

The main grievance of the petitioner is that he made applications before the Station House Officer, Yetapaka Police Station - 3rd respondent, against the respondents 4 and 5 complaining that they entered into his field and cut the plantation and took away the wooden logs, but, the 3rd respondent is not registering a case against the respondents 4 and 5, basing on the complaints lodged by the petitioner, dated 08.10.2016 and 03.11.2016.

Considering the grievance of the petitioner, the 3rd respondent is directed to register a case against the respondents 5 and 6, if the complaints lodged by the petitioner, dated 08.10.2016 and 03.11.2016, disclose any cognizable offence and investigate into the same and file a final report if any. If the 3rd respondent fails to register the case, the petitioner is at liberty to approach the superior officer of the 3rd respondent and also to approach the concerned Court by invoking provision under Section 200 Cr.P.C.

Accordingly, the writ petition is disposed of. No order as to costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO, J

November 08, 2016.
KTL