

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43936 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of respondents 2 to 4 in not initiating any action against respondents 5 & 6 on the complaints made by the petitioner, dated 05.12.2016, 06.12.2016 and 07.12.2016, as illegal and arbitrary and consequently direct the 2nd respondent to register the case on the complaints made by the petitioner, dated 05.12.2016, 06.12.2016 and 07.12.2016, against respondents 5 & 6.

Heard and perused the material available on record.

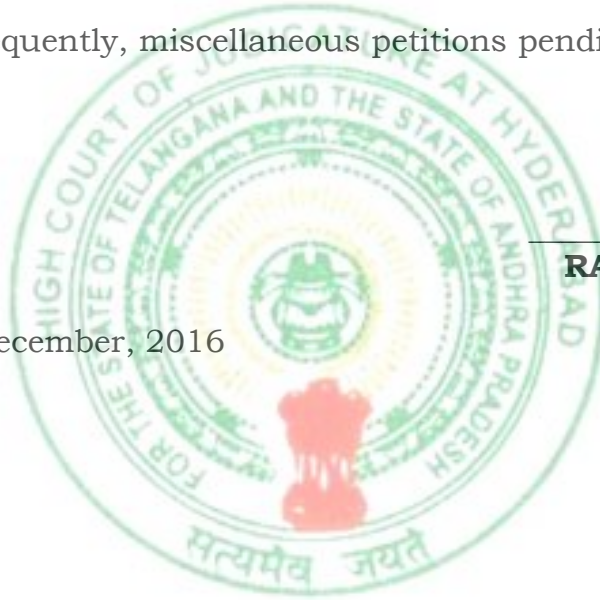
The case of the petitioner is that the petitioner is the absolute owner and possessor of the agriculture land to an extent of Ac. 4.33 guntas, situated in Survey No.552/2/4, at Mahabubabad Village and Mandal, Mahabubabad District and that respondents 5 & 6, who belong to the petitioner's village, along with their henchmen wanted to enter into the petitioner's land and want to erect huts in the said land and that when the petitioner questioned respondents 5 & 6 about the same, they abused the petitioner in filthy language and threatened him that they will book cases under the SCs & STs (POA) Act against the petitioner. The main grievance of the petitioner is that the petitioner immediately approached respondents 2, 3 & 4 and submitted representations, dated 05.12.2016, 06.12.2016 and 07.12.2016, but till now, respondents 2, 3 & 4 have neither registered a case nor taken any action against respondents 5 & 6.

Considering the grievance of the petitioner, the 2nd respondent is directed to register a case against respondents 5 & 6, if the complaints lodged by the petitioner, dated 05.12.2016, 06.12.2016 and 07.12.2016, 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 2nd respondent, he is at liberty to approach the superior officer of the 2nd respondent and also to approach the concerned Court by invoking provision under Section 200 Cr.P.C.

With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

Date: 16th December, 2016

KL



RAJA ELANGO, J