

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

WRIT PETITION No.38874 OF 2012

ORDER:

This Writ Petition is filed, under Article 226 of the Constitution of India, for the following relief:

“to issue a writ, order or direction in the nature of Mandamus or otherwise declaring the action of the official respondents in not providing police protection and security to the petitioner, her family members as well as workers while entering the petitioner’s land admeasuring Ac.2.70 cents situated in Sy.No.444/1, Mahadevapuram, Kandukuru Rural Mandal, Prakasam District, and further declare the action of the police authorities in not initiating further consequential action including arrest of the party respondent and her henchmen in pursuance of the FIR No. 129/2012 on the file of Kandukuru P.S., Kanukuru Rural Mandal, Prakasam District, u/s 34, IPC, 447 IPC, 506 IPC, 427 IPC dated 02.12.2012 as arbitrary, illegal, discriminatory and unconstitutional, violating Article 14 and 21 of the Constitution of India and issue consequential directions, directing the official respondents to provide police security and protection to the petitioner, her family members as well as workers while entering the petitioner’s land admeasuring Ac.2.70 cents situated in Sy.No.444/1, Mahadevapuram, Kandukuru Rural Mandal, Prakasam District, to enable the petitioner to cultivate the land and further direct the respondents 1 to 4 to initiate consequential necessary action including arrest of the party respondent and her henchmen in pursuance of FIR No. 129/2012 on the file of Kandukuru P.S., Kanukuru Rural Mandal, Prakasam

District, u/s 34, IPC, 447 IPC, 506 IPC, 427 IPC dated 02.12.2012, and pass such other order or orders.”

2. Heard Sri P.V.Krishnaiah, learned counsel, appearing for the petitioner, learned Government Pleader for Home, appearing for the respondents 1 to 4 and 6 and Sri K.Chidambaram, learned counsel, appearing for the 7th respondent.

3. When the matter is called, written instructions dated 23.02.2016 furnished by the Sub Inspector of Police, Kandukuru Rural Police Station have been placed on record by the learned Government Pleader and in the said written instructions, it is stated that basing on the complaint lodged by the petitioner, police registered Crime No.129/2012 under Sections 447, 506, 427 r/w. 34 IPC, on 02.12.2012 against the 7th respondent and others and investigation was taken up and examined as many as four witnesses. It is further stated that a civil suit vide O.S.No.43 of 2010 is also pending on the file of the Principal Junior Civil Judge, Kandukuru, Prakasam District. It is further stated that the Sub Divisional Police Officer, Kandukuru, vide C.No.126/RF-SDOK/2013, dated 01.07.2013 and C.No.132/RF-SDOK/2013, dated 17.07.2013 respectively, accorded permission to refer the cases as civil in nature and after serving notices to the petitioner/complainant final reports were filed before the Court of the Additional Judicial First Class Magistrate, Kandukur, on 14.11.2014 and 14.12.2013 respectively.

4. In view of the above subsequent events, nothing survives in the present writ petition for adjudication. Accordingly, Writ Petition is dismissed.

5. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

19.10.2016
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