

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43179 OF 2016

ORDER:

This writ petition, under Article 226 of the Constitution of India, is mainly filed seeking a direction to respondent No.4 to register a case against respondent Nos.5 to 8 basing on the complaint, dated 22.9.2016, of the petitioner.

2. Heard and perused the material available on record.

3. The main grievance of the petitioner is that respondent No.4 is not registering a case against respondent Nos.5 to 8 basing on the complaint lodged by him on 22.9.2016 wherein it is stated that respondent Nos.5 to 8 are obstructing him to do cultivation in an extent of Ac.4.27 cents in R.S.No.13/2 of P.Ankampalem Village, Jeelugumilli Mandal, West Godavari District.

4. Considering all the facts and circumstances of the case, this Court is of the view that it is needless to say that if a complaint filed by an aggrieved person discloses an offence, which is cognizable in nature, necessarily, the Station House Officer concerned has to register a case and investigate into the same. Hence, the petitioner is directed to send a complaint to respondent No.4 herein by registered post with acknowledgment due and on receipt of such complaint, respondent No.4 shall register the same if it discloses a cognizable offence. Further, if the petitioner is aggrieved by the action of respondent No.4, he is at liberty to approach the superior officer of respondent No.4 and also to approach the concerned Court by invoking the provision under Section 200 Cr.P.C.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

14.12.2016
AMD



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Date: 14.12.2016

AMD