

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43720 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of the respondents 2 and 3 and their subordinates in coming to the site in possession of the petitioner company in Survey Nos.729 (part), 730 (part) and 731/ A (part), admeasuring Ac. 39.16 guntas, situated at Bhongir, Nalgonda District, as illegal and arbitrary and to direct the respondent police not to interfere with the peaceful possession and enjoyment of the land in question.

Heard and perused the material available on record.

The grievance of the petitioner is that the petitioner is the owner and possessor of the subject land and that the 3rd respondent along with his officials came to the work spot and threatened the workers not to proceed with any construction activity and also threatened the petitioner that he will submit a report under Section 145 Cr.P.C. to stop the petitioner from carrying out the construction activities on the subject property of the petitioner.

Learned Assistant Government Pleader for Home informed that on the basis of a complaint, a case is registered and the same is under investigation and that the petitioner is not an accused in the said complaint and further due to the law and order problem between the parties, who lodged the said complaint and the petitioner, already the 3rd respondent requested the revenue authorities to initiate proceedings under Section 145 Cr.P.C. and further it is informed that the 3rd respondent is not interfering in any of the construction activities of the petitioner.

Recording the said submission, the Writ Petition is disposed of. Since it is informed by the learned Assistant Government Pleader for Home that the 2nd respondent requested the revenue authorities to initiate proceedings under Section 145 Cr.P.C., the petitioner is directed to co-operate, if any such action is taken by the revenue authorities concerned, and the 3rd respondent is also directed not to interfere in any of the affairs of the petitioner, more particularly, the construction activities of the petitioner.

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

December 16, 2016.

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RAJA ELANGO, J

