

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38332 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the inaction of the 2nd respondent in taking action against the 3rd respondent in spite of the written complaint, dated 06.06.2016, as illegal and arbitrary and consequently direct the 2nd respondent to forthwith act upon the complaint, dated 06.06.2016, and take action against the 3rd respondent, in accordance with law.

Heard and perused the material available on record.

The case of the petitioner is that the petitioner is the absolute owner of the land admeasuring Ac. 2.00 guntas in Survey Nos.466 and 467, situated at Mallavolu Village, Machavaram Mandal, Guntur District. The petitioner has given the said land to the 3rd respondent, who is the close relative of the petitioner, on oral lease basis for cultivation and every year, the 3rd respondent used to send the lease amount. When the petitioner verified the Adangal, 2-B records, the name of the 3rd respondent was entered and the 3rd respondent has obtained the pattadar pass books and title deeds in respect of the land of the petitioner in his name and thereby committed breach of trust. Aggrieved by the same, the petitioner has submitted a written complaint, dated 06.06.2016, to the 2nd respondent against the 3rd respondent. The main grievance of the petitioner is that even though the complaint is lodged by the petitioner, dated 06.06.2016, the 2nd respondent is not taking any action against the 3rd respondent.

Learned Assistant Government Pleader for Home informed that no such complaint is received by the 2nd respondent.

Having regard to the same, since no complaint is received by the 2nd respondent, no orders need be passed in this writ petition.

Accordingly, the Writ Petition is dismissed. However, if the petitioner intends to lodge a complaint against the 3rd respondent, it is left open to the petitioner to lodge a complaint against the 3rd respondent before the 2nd respondent. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 22nd November, 2016

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