

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.38236 of 2015

ORDER:

The prayer of the petitioner in this case is as under:

“ It is therefore prayed that this Hon'ble High Court may be pleased to issue a Writ, order or direction, more particularly one in thenature of Writ of Mandamus to declare the inaction of the respondents 1 and 2 in granting sanction orders to prosecute 3rd respondent as illegal, improper, irrational and arbitrary and consequently direct Respondents particularly, 1st Respondent to issue sanction orders under Section 197 of Cr.P.C. for prosecuting the 4th respondent for the offences U/s.423, 464, 465, 471, 120(B) of I.P.C. in crime No.38 of 2007 of Mulugu Police Station, Medak District committed by him under the colour of authority and further direct the Respondents to take cognizance of the above offences against 4th respondent, and to pass such other orders or orders may deem fit and proper in the circumstances of the case.”

2. Despite the matter being adjourned as many as eight times to enable the learned Assistant Government pleader to get instructions as to when a decision would be taken, learned Assistant Government Pleader would submit today that the matter is still pending consideration before the Chief Commissioner of Land Administration, Telangana.

3. As the crime in question relates to the year 2007, it is not open to the authorities to keep the matter pending indefinitely and delay granting of sanction to prosecute the third respondent, if warranted.

As the authorities concerned are yet to take a decision in the matter and this Court does not propose to adjudicate any issue on

merits,

it is not necessary to put the third respondent on notice at this stage.

4. The Writ Petition is accordingly disposed of directing the respondent authorities to take a decision on the issue of sanctioning the prosecution of the third respondent, if warranted, expeditiously and in any event, not later than four weeks from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall also stand dismissed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

March 23, 2016

LMV