

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.35488 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed to declare the action of the 3rd respondent in not registering the complaint, dated 11.07.2016, lodged by the petitioner, as illegal and arbitrary.

Heard and perused the material available on record.

The petitioner is the owner of an extent of Acs.2.50 cents of land in Sy.No.715/ B and an extent of Ac.1.48 cents of land in Sy.No.613 of Piduguralla and Kamepalli villages and he is in possession and enjoyment of the said land. While so, some third parties, without having any right over the property, trespassed into the land and damaged the crops and also threatened the petitioner with dire consequences. Therefore, the petitioner lodged a complaint on 11.07.2016 against those persons, before the 3rd respondent - Station House Officer, Piduguralla Police Station, Guntur District. The main grievance of the petitioner is that the 3rd respondent is not registering a case against the said persons, basing on the complaint lodged by him on 11.07.2016.

Considering the grievance of the petitioner, without going into the merits of the case, the 3rd respondent is directed to register a case basing on the complaint made by the petitioner, dated 11.07.2016, if the said complaint discloses any cognizable offence, and investigate into the same and file a final report if any. If the 3rd respondent fails to register the case, the petitioner is at liberty to approach the superior officer of 3rd respondent and also to approach the concerned Court by invoking provision under Section 200 Cr.P.C.

Accordingly, the writ petition is disposed of. No costs. Miscellaneous Petitions, pending if any, shall stand closed.

RAJA ELANGO, J

October 21, 2016
KTL