

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36620 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of the 2nd respondent in not taking any action on the complaint given by the petitioner and villagers of Ullipalem, as illegal and arbitrary and consequently, direct the 2nd respondent to register the FIR basing on the compliant.

Heard and perused the material available on record.

The petitioner is the Sarpanch of Pothepalli Grampanchayat, Bandar Mandal, Krishna District. In the said panchayat limits, there is a temple viz., Sri Kodandaramalayam near Ullipalem, and the said temple is a very old one. The villages often contributed some money towards development of the said temple and also facilitate the poojas. While so, one Ulli Vijaya Bhaskar Rao and his henchmen encroached into the temple land and tried to install a board. Therefore, the petitioner being the Sarpanch and some of the villagers made a complaint before the Station House Officer, Bandar Police Station - 2nd respondent to take action against said Ulli Vijaya Bhaskar Rao. The main grievance of the petitioner is that the 2nd respondent, is not registering a case against said Ulli Vijaya Bhaskar Rao, basing on the complaint lodged by the petitioner and others.

Considering the grievance of the petitioner, the 2nd respondent is directed to register a case against said Ulli Vijaya Bhaskar Rao, if the complaint lodged by the petitioner and the other villagers discloses any cognizable offence and investigate into the same and file a final report if any. If the 2nd respondent fails to register the case, the petitioner is

at liberty to approach the superior officer of 2nd 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. Pending Miscellaneous Petitions, if any, shall stand closed.

October 18, 2016
KTL

RAJA ELANGO, J



