

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38517 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of the 2nd respondent and its subordinates in coming to the site in possession of the petitioner firm in Survey Nos.728 (part), 729 (part), 732 (part) and 733 (part), admeasuring Ac. 40.23 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.

The grievance of the petitioner is that the petitioner acquired the subject land and that the 2nd respondent along with its officials came to the work spot and threatened the workers not to proceed with any construction activity and the 2nd respondent also threatened the petitioner that he will also submit a report under Section 145 Cr.P.C. and 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 the complaint given, a case is registered as Crime No.245 of 2016 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 2nd respondent requested the revenue authorities to initiate proceedings under Section 145 Cr.P.C. and further it is informed that the 2nd 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 2nd 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 costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 16th November, 2016

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