

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40526 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 not taking any action on the complaints, dated 02.09.2016 and 05.09.2016, submitted by the petitioner and others against the persons who caused total damage to the crop, as illegal and arbitrary.

Heard and perused the material available on record.

The case of the petitioner is that the petitioner is the owner of an agriculture land to an extent of Ac. 0.30 guntas, situated in Survey No.327 and that some persons are trying to interfere in the possession and enjoyment of the petitioner and that the petitioner filed O.S.No.97 of 2016, on the file of the Junior Civil Judge, Huzurnagar, and the learned Judge granted perpetual injunction in favour of the petitioner vide **order**, dated 03.06.2016. Aggrieved by the same, the said persons totally damaged the crop and caused total loss to the petitioner. Immediately, the petitioner approached the 2nd respondent and lodged complaints against the said persons on 02.09.2016 and 05.09.2016, but till now the 2nd respondent has not take any action on the said complaints.

Considering the grievance of the petitioner, respondents 2 & 3 are directed to register a case against the alleged persons, if the complaints lodged by the petitioner, dated 02.09.2016 and 05.09.2016, discloses any cognizable offence and investigate into the same and file a final report if any. If the petitioner is aggrieved by the action of respondents 2 & 3, he is at liberty to approach the

superior officer of respondents 2 & 3 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.

RAJA ELANGO,J

Date: 30th November, 2016

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