

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.35227 of 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus directing the action of the official respondents in not taking any appropriate action against the respondents 9 to 12 in pursuance of the complaint made by the petitioner dated 22.07.2016 and 03.10.2016 in restraining the respondents 9 to 12 from interfering with peaceful possession and enjoyment of the land admeasuring Acs.2.00 guntas in survey No.1878 of Chinna Annaluru Village, Kaligiri Mandal, Kavali, SPSR Nellore District, as arbitrary and illegal and consequently to direct the respondents 1 and 2 to forthwith take appropriate action as per law against the respondents 9 to 12.

Heard and perused the material.

Learned counsel for the petitioner submits that though petitioner lodged a complaint, dated 22.07.2016 and 03.10.2016, the respondents 1 and 2 are not taking any appropriate action against the respondents 9 to 12 and as such, he prays this Court to direct the respondents 1 and 2 to register the complaint and take action against the respondents 9 to 12 as early as possible.

Considering the facts and circumstances of the case, the writ petition is disposed of with a direction to the respondents 1 and 2 to register the complaint of the petitioner and conduct effective investigation and file final report, if any, in accordance with law. It is open to the petitioner to file fresh complaint, if the earlier one is not available with the police, and also open to the petitioner to approach the superior officer if there is any refusal by the respondents 1 and 2 to register the crime. The petitioner is also at liberty to file a private

complaint by invoking Section 200 of Code of Criminal Procedure before the Court concerned.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

19.10.2016
pln

