

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42599 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of the respondents 1 to 5 in not taking action on letter, dated 23.11.2016, addressed by the Inspector Auditor, Wakf, Adoni on the representation made by the petitioners and not registering a crime, as illegal and arbitrary, and consequently, direct the respondents 1 to 5 to register the crime based on the letter, dated 23.11.2016.

Heard and perused the material available on record.

The main grievance of the petitioners is that since the respondents 6 to 9 are obstructing the petitioners from performing Namaz in the mosque, they made a representation to the AP State Waqf Board, and the Inspector Auditor of Waqf Board, lodged a complaint before the Station House Officer, Aspari Police Station, Kurnool District - 5th respondent, to take action against the respondents 6 to 9, but the 5th respondent is not taking any action against the respondents 6 to 9 and not registering the case against them.

Considering the grievance of the petitioners, without going into the merits of the case, the 5th respondent is directed to register a case against the respondents 6 to 9 if the complaint lodged, dated 23.11.2016, discloses any cognizable offence and investigate into the same and file a final report if any. If the petitioners are aggrieved by the action of the 5th respondent, they are at liberty to approach the superior officer of 5th 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 order as to costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO, J

December 07, 2016.
KTL

