

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.17790 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Home. With consent of the counsel appearing for both sides, the present writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed seeking issuance of writ of *mandamus* declaring the inaction of respondents 2 and 3 in taking further action pursuant to the registration of Crime No.137 of 2016 on 26.05.2016 of P.S. Sathenapalli, Guntur District as illegal and arbitrary and consequently, to direct respondents 2 and 3 to initiate further action in the above crime.

3. The averments in the report would show that the petitioner purchased the property in Sy.No.12 of Sattenapalli Municipal limits from one Kolagani Srinivasa Rao and got registered the same vide document No.2312 of 2014, which was purchased by the vendor of the petitioner from one Talluri Padma on 24.08.2000 by way of registered sale deed vide document No.3885 of 2000, who purchased the same from one Kurapati Sivaramakrishnaiah, along with another, on 27.01.1992. The son of the petitioner purchased an extent of Ac.0.07 ½ cents of vacant site from Talluri Padma. Totally, an extent of Ac.0.15 cents was purchased by the petitioner and his son. The said property was sold away by the father of A.1 and grandfather of A.2 and A.3 on 18.07.1982 to said Kurapati Sivarama Krishnaiah vide registered sale deed vide document No.3428 of 1982. After the death of father of A.1 and grandfather of A.2 and A.3, A.1 to A.3 sold away the above said property and

some other property to A.4 by colluding with A.4 to A7, thereby cheating the petitioner and his son by executing a fictitious document on 13.11.2015 prepared by A.7 with all false boundaries and the same was attested by A.5 and A.6. The survey number in the said document was wrongly mentioned as 13 instead of 12, which is of the property purchased by the petitioner and his son.

4. Learned Government Pleader for Home submits that since the crime is registered only on 26.05.2016, it may not be possible for the police to file a final report immediately.

5. Having regard to the nature of allegations made in the report and since the crime was registered on 26.05.2016, the contention of the petitioner that the police officials have failed to take any action cannot be accepted. However, if the police failed to file a final report within a reasonable time, the petitioner is at liberty to avail remedy available under law.

6. With the above observation, the Writ Petition is disposed of.

Consequently, Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

Date:08.06.2016
INL