

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37334 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of respondents 2 to 4 in not registering the crime against respondents 5 to 7 and not causing arrest of respondents 5 to 7 for illegal trespass and damaging the standing paddy crop of the petitioner in the petitioner's landed property, as illegal and arbitrary.

Heard and perused the material available on record.

The case of the petitioner is that the petitioner is the absolute owner of the land admeasuring Ac. 1.00 cents in Survey No.982, situated at Kodad Village and Mandal, Suryapet District, and that on 23.10.2016, respondents 5 to 7 illegally trespassed into the petitioner's land and damaged the paddy crop of the petitioner with the help of tractor and when the petitioner asked about the same, the 7th respondent scolded the petitioner and threatened him with dire consequences by abusing in filthy language and further warned the petitioner to kill him, if he go to his field. Aggrieved by the same, the petitioner lodged a written complaint to the 4th respondent on 23.10.2016. The main grievance of the petitioner is that though the complaint is lodged on 23.10.2016, the 4th respondent is not taking any action on the said complaint and not causing arrest of respondents 5 to 7 and that taking undue advantage of the same, respondents 5 to 7 are threatening and warning the petitioner to kill and not allowing the petitioner to do his agricultural operations over the subject property.

Considering the grievance of the petitioner, the 4th respondent is directed to register a case against respondents 5 to 7, if the complaint lodged by the petitioner, dated 23.10.2016, 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 the 4th respondent, he is at liberty to approach the superior officer of the 4th 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 costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 2nd November, 2016

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