

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

WEDNESDAY THE SIXTH DAY OF JANUARY
TWO THOUSAND AND FIFTEEN

PRESENT
HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 1617 OF 2012

Between:

Tata Venkateswara Rao ... Petitioner

Vs.

The State of Andhra Pradesh
Represented by its Prl.Secretary
Home Department, Secretariat,
Hyderabad & Ors. ... Respondents

Counsel for the Petitioner: Sri Mangena Sree Rama Rao

Counsel for the Respondents: GP for Home

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SETHA SAI

WRIT PETITION NO. 1617 OF 2012

ORDER:

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This writ petition is filed under Article 226 of the
Constitution of India for the following relief :

“To declare the inaction on the part of respondents on petitioner’s report dated 11/10/2011 as illegal, irregular, arbitrary, violative of provisions of Code of Criminal Procedure 1973 and offends Article 14 of the Constitution of India and consequently to direct the respondents to register crime on petitioner’s report and provide police protection to the petitioner, his family and property as the case may and conduct investigation in accordance with the provisions of Code of Criminal Procedure, 1973 and prosecute the real culprits and to pass such other suitable orders as this court may deem fit and proper in the circumstances of the case.”

2. When the matter is called today, written instructions furnished by the Sub-Inspector of Police, Pedapadu Police Station, West Godavari district have been placed on record by the learned Government Pleader for Home for the respondents.

3. The written instructions reads as under:

It is submitted that on 01/2/2012 the petitioner

has lodged a complaint with the Station House Officer, Pedapadu Police Station stating that on 11/10/2011 one Avula Pitchaiah and 14 others have trespassed into his land in R.S.No.224/1 Yepuru village, Pedapadu Mandal, West Godavari district and damaged the compound wall of the said land by threatening to kill the petitioner. The petitioner further stated in his complaint that the said matter was brought to the notice of the village elders for settlement of the issue but the said Avula Pitchaiah and others did not settle the matter and requested to take necessary action. Pursuant to the said complaint, a case in Cr.No.11/12 Under section 447, 427, 506 read with 109 IPC has been registered on 1/2/2012 against 1] Avula Pitchaiah, 2] Avula Subbamma 3] Ranga Rao son in law of A-1 4] Avula Ranga Rao, 5] Avula Nagaraju 6] Bogina Kotaiah 7] Avula Anjaneyulu 8] Boina Ranga Rao 9] Bichalu 10] Durgaiah 11] Nalla Veeraiah 12] Venkateshu 13] Srinu 14] Yesu and 15] Pedda Yesu as A-1 to A-15 on the file of SHO Pedapadu Police Station and took up the investigation.

During the course of investigation, the complainant/proprietor and his brother have examined and their detailed statements were recorded.

The matter is under investigation for want of examining some more witnesses. After completion of investigation, the case will be finalized at the earliest.

4. On noticing the same, the learned counsel for the petitioner has requested this court to dispose of the writ petition by recording the said written instructions.

5. In view of the above, the writ petition is closed by recording the above written instructions furnished by the Sub-Inspector of Police, Pedapadu Police Station, West Godavari district. No costs.

6. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE A.V.SESHA SAI

06/01/2016
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HONOURABLE SRI JUSTICE A.V. SETHA SAI

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