

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.44044 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of respondents 2 & 3 in not registering the FIR basing on the petitioner's complaint, dated 09.12.2016, as illegal and arbitrary and consequently direct the respondents to register FIR and conducting investigation into the offences in the complaint.

Heard and perused the material available on record.

The main grievance of the petitioner is that the petitioner's son Sunil Kumar was assigned land admeasuring to an extent of Ac. 0.03 cents in Survey No.953/2 in Badvel in the year 1994 by the Revenue Department and that on 09.12.2016, one Penchalaiah and his wife and others came to the petitioner's house along with JCB and were removing the earth in the absence of the petitioner and his family members and on knowing the same, when the petitioner went to the spot and tried to oppose their criminal actions in trespassing into his property and removing the earth, the said Penchalaiah and his wife and others threatened the petitioner with dire consequences and beat him and abused him in the name of his caste.

The main grievance of the petitioner is that the petitioner gave a complaint against the said Penchalaiah and others on 09.12.2016 to respondents 2 & 3, but respondents 2 & 3 have neither registered the same nor taken any action against the said persons.

Learned Assistant Government Pleader for Home informed that no such complaint is pending with respondents 2 & 3.

Recording the submission of the learned Assistant Government Pleader for Home, the Writ Petition is closed. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO, J

Date: 26th December, 2016

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