

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.42978 of 2015

ORDER:

The prayer of the petitioner in this case is as under:

“For the reasons stated in the accompanying affidavit the petitioner herein pray that this Hon'ble Court may be pleased to issue any writ order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents 1 to 4 herein in not restraining the respondents 5 to 7 herein from interfering in the entire land in Block No.1 to 5, 53rd Division, Ajithsingh Nagar, Vijayawada which belongs to the petitioner herein as well as not taking any action on the complaint dt. 19-12-2015 as illegal, arbitrary, null and void and for a consequential direction to the respondents 1 to 4 herein to restrain the respondents 5 to 7 herein in interfering in the entire land which belongs to the petitioner herein and to pass such other orders as this Hon'ble court may deem fit and proper in the circumstances of the case.”

Written instructions dated 21.01.2016 were furnished by the Sub-Inspector of Police, Ajit Singh Nagar Police Station, Vijayawada City, stating that only a xerox copy of the complaint was sent by the petitioner by registered post and upon receipt thereof, the police authorities informed the same to the petitioner and asked it to lodge the complaint in original but no action in that regard was taken by the petitioner.

When this aspect was brought to the notice of the learned counsel for the petitioner on 28.01.2016, she sought an adjournment to enable her client to do the needful. However, today, when the matter is taken up, Sri M.V. Suresh Kumar, learned counsel, appears for the petitioner and states that he was unaware of the afore-stated development.

In that view of the matter, the writ petition is closed leaving it open to the petitioner to make a complaint in original to the concerned

police authorities, if so advised. In the event any such complaint is made as to the commission of an offence, the police authorities shall be mindful of the directions of the Supreme Court in **Lalita Kumari v. Government of Uttar Pradesh**^[1] and take appropriate action in the matter in accordance therewith.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

JUSTICE SANJAY KUMAR

10th February, 2016
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^[1] (2014) 2 SCC 1