

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.35345 of 2016

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed to declare the action of the official respondents in not taking any action on the representation, dated 24.08.2016, submitted with regard to fraudulent transaction in respect of the land admeasuring Ac.14-00 cents in survey No.312-2 belongs to Sri Ramaswamy Temple at Ontimiddi Village, Kalyanadurgam Mandal, Anantapur District, as arbitrary and illegal and consequently, direct 2nd and 3rd respondents to conduct an enquiry with regard to fraudulent transaction in respect of the said land.

2. Though the petitioner submitted a representation on 24.08.2016 to the Station House Officer, Kalyanadurgam Police Station, Kalyanadurgam, Anantapur District, stating the 8th respondent with an intention to grab the land belongs to the temple, the 7th respondent refused to take action till date on the said representation.

3. Heard the arguments and perused the material available on record.

4. This Court is of the view that whenever a complaint is lodged, it is the duty of the Station House Officer to register a case if it discloses a cognizable offence. Therefore, the 7th respondent- Station House Officer, Kalyanadurgam Police Station, Kalyanadurgam, Anantapur District, is directed to peruse the representation, dated 24.08.2016, submitted by the petitioner and he satisfies that if the representation submitted by the petitioner

discloses a cognizable offence, then he register a case and proceed in accordance with law. If there is any refusal by the 7th respondent to register a case, the petitioner is at liberty to follow the procedure under the provisions of Cr.P.C.

5. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO, J

OCTOBER 24, 2016
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Date: 24.10.2016

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