

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39879 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the registration of FIR No.253 of 2016, as illegal and arbitrary.

The case of the petitioners is that the 4th respondent lodged the present complaint alleging that the petitioners are obstructing the construction made by the 4th respondent in his property after obtaining permission for construction from the Nagara Panchayat and that the petitioners are causing inconvenience to the 4th respondent. The main grievance of the petitioners is that though the petitioners are the absolute owners and possessors of their respective properties and they have also obtained permissions for construction in their respective properties, the wife and son of the 4th respondent filed false application before the Nagara Panchayat Authority with a request to grant building permission for construction of house in the properties which originally belong to the petitioners by showing false document and false boundaries.

Learned counsel for the petitioners submitted that the 1st petitioner has filed a case before the Commissioner, State Human Rights Commission, Hyderabad, to take necessary action against the Inspector of Police (Urban), Huzurabad, vide H.R.Case No.6610 of 2016, dated 30.07.2016, as the Inspector of Police (Urban) provided police protection to the son and wife of the 4th respondent for construction of illegal structure on the plots of the petitioners and for the high-handed action of the 4th respondent and the learned counsel for the petitioners further informed that the petitioners are ready to co-operate with the investigation.

Considering the grievance of the petitioners and the submissions of the learned counsel for the petitioners, the 3rd respondent is directed to complete the investigation in FIR No.253 of 2016 as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioners.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 18th November, 2016

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