

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 2966 of 2017

ORDER:

This writ petition was filed seeking a mandamus to declare the ante-dated 09.12.2016/after thought alteration memo, as illegal and arbitrary.

The petitioner states that he and his father are bona fide purchasers of an immovable property. After 14 years of alleged act of impersonation of the de facto complainant, a complaint was lodged against them before respondent No.2 on 29.10.2016 and the same was registered as a case in Crime No.1022 of 2016 for the offences punishable under Sections 419, 420, 468 and 471 I.P.C. The petitioner and his father were shown as Accused Nos.4 and 3 respectively. Accused 1 and 2 and the de facto complainant are the friends. After coming to know of the said complaint, he filed a counter-complaint, sent by registered post on 13.12.2016, and when it was not registered, he filed W.P.Nos.292 of and 2662 of 2017 and they are pending before this Court. He further states that he filed W.P.No.43395 of 2016 and obtained stay of arrest on 15.12.2016. Criminal Petition No.192 of 2017 filed for stay of proceedings was dismissed, but directions were issued to the police to continue the investigation. He also states that after his sending counter-complaint, dated 11.12.2016, respondent No.2 tried to alter the provision of law in the FIR by adding Section 3 (1) (g) of the SC/ST (POA) Amendment Act, 2015 and

sought permission of the Magistrate concerned by filing a memo. Challenging the same, the present writ petition was filed.

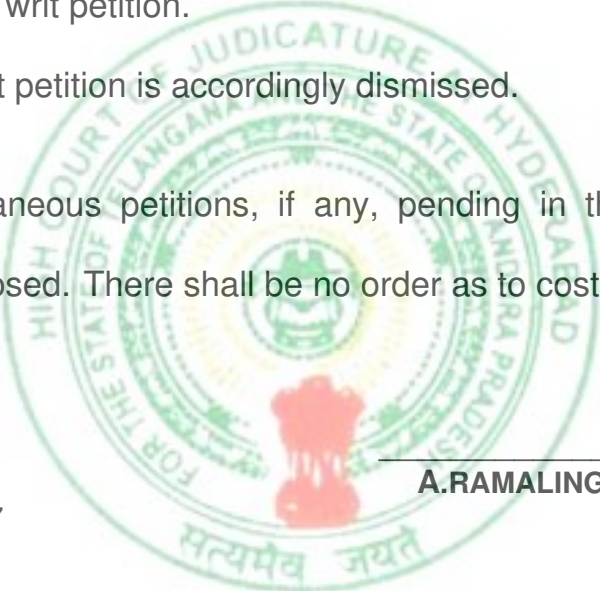
Since the matter is pending consideration before the learned VII Metropolitan Magistrate, Cyberabad at Hayathnagar, this Court is not inclined to entertain the present writ petition and it is for the concerned Court to take note of the memo filed by respondent No.2 and pass appropriate orders. If the petitioner is aggrieved by the same, he can take appropriate proceedings in accordance with law, but at this stage, he cannot challenge the action of respondent No.2 in the present writ petition.

The writ petition is accordingly dismissed.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

Dt:30.01.2017

kdl



A.RAMALINGESWARA RAO,J