

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 45881 of 2016

ORDER:

This writ petition is filed for the following relief:

“For the reasons stated in the accompanying affidavit, the petitioners prayed that this Hon'ble Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction on the part of respondents on the petitioners' representation, dated 15.10.2016, submitted for return of documents, records and house site pattas belonged to 1st petitioner society and its members, which were seized in connection with Crime No.59 of 2010, registered on 19.03.2010 on the file of 5th respondent, as illegal, irregular, irrational and amounts to non-discharge of legal obligation conferred on them under the provisions of Code of Criminal Procedure, 1973 and offends Articles 14 and 21 of the Constitution of India and consequently direct the 5th respondent to return entire said records including house site pattas of 1st petitioner society and its members and pass such other order or orders as this Hon'ble Court deem fit and proper in the circumstances of the case.”

Learned Government Pleader for Home, on the basis of written instructions, submits that the seized documents in Crime No.59 of 2010 were filed before the learned II Additional Judicial First Class Magistrate, Ongole along with charge sheet, dated 09.09.2014, as evidence and the same are in possession and custody of respondent No.5-Station House Officer, I Town Police Station, Ongole City.

In view of the same, it is open to the petitioner to approach the Court concerned for return of documents or otherwise, since trial is pending.

The writ petition is accordingly closed giving liberty as aforestated.

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

Dt:27.01.2017

kdl

A.RAMALINGESWARA RAO,J

