

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.1814 of 2017

ORDER:

This writ petition is filed challenging the action of respondents 3 to 11 in threatening to dispossess the petitioner by interfering with the peaceful possession of the petitioner's properties admeasuring Ac.0.16 cents in R.S.No.149/4 and an extent of Ac.0.46 cents in R.S.No.149/7 of T. Kothapalli village, I. Polavaram Mandal, East Godavari District.

So far as respondents 4 to 11 are concerned, they are private parties. The 3rd respondent is the Station House Officer, I. Polavaram police station.

Learned Government Pleader for Home, on the basis of written instructions, submits that pursuant to the complaint made by the petitioner, a case in Cr.No.34 of 2017 was registered on 22.01.2017 against respondents 4, 5, 7, 8 and 9 and investigation is under progress.

If the petitioner is aggrieved with regard to interference of the unofficial respondents with regard to her properties, it is open to the petitioner to take appropriate civil proceedings against such interference, but he cannot approach this Court under Article 226 of the Constitution of India. Be that as it may, since a crime is registered, it is for the 3rd respondent to take appropriate proceedings in accordance with law.

Writ petition is accordingly disposed of.

Pending miscellaneous petitions, if any, shall stand closed.

No costs.

A. RAMALINGESWARA RAO, J

January 30, 2017
MRR