

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.1854 OF 2017

ORDER:

This writ petition is filed with the following prayer:

“...to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents No.3 and 4 herein not cooperating with the investigation officer in Crime No.100 of 2016 on the file of the Chiragpally Police Station is illegal, arbitrary, against the Rules 82 and 83 of Registration Act, 1908 and also violative of Article 300-A of the Constitution of India and to pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.”

The petitioners are represented by their G.P.A. holder by name Syed Ibrahim Iqbal. A reading of affidavit does not indicate that in pursuance to the complaint, the subject crime was registered on 17-11-2016.

Learned counsel for the petitioners says that the GPA holder of the petitioners has submitted representation to the District Registrar on 20-09-2016 to cancel the forged and fabricated documents and the same is pending. No provision of law is brought to the notice of this Court enabling the District Registrar to cancel the registered sale deeds. The petitioners have remedy by approaching the civil Court under Section 31 of Specific Relief Act. But their prayer is for declaring the action of the respondents in not co-operating with the investigation. The GPA holder of the petitioners has not placed any material before this Court to show that the respondents 3 and 4 are not

cooperating with the investigation. The petitioners are seeking direction to the respondents 3 and 4 to submit report in Crime No.100 of 2016. It is for the police to investigate and file charge sheet and not for the respondents 3 and 4 to submit report in criminal case. Moreover, even according to the petitioners, WP.No.27361 of 2016 filed by them for almost for the same relief is pending.

In view of the same, I do not see any reason to entertain the writ petition.

Accordingly, this writ petition is dismissed. As a sequel to the disposal of this writ petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

19-01-2017

Note:

Issue CC by Monday.

B/o.

nvl

