

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.46819 of 2016

Order:

This Writ Petition was filed challenging the action of the respondents 2 and 3 in interfering with the petitioner's possession and enjoyment of the land of an extent of Ac.0.84 cents out of Ac.1.88 cents in Survey No.220/1, situated at Gudepuvalasa Revenue village, Dallipeta Panchayat, Bhogapuram Mandal, Vizianagaram District.

Today, when the matter is called, learned Government Pleader produced before this Court a copy of the counter affidavit, wherein it is stated that the second respondent has nothing to do with the civil disputes between the petitioner and the fourth respondent. They never interfered with the same. However, on the complaint of the fourth respondent before the Judicial Magistrate of First Class, Vizianagaram against one D. Mutyalu and four others including the petitioner, Crime No.44 of 2015 was registered on 10.03.2015 under Sections 188, 427, 506(ii) read with 34 IPC and the same was investigated. After completion of investigation, charge sheet was filed in the above said case on 29.05.2015 and the same is pending trial in C.C.No.612 of 2015. The second respondent also stated that during the process of investigation and thereafter they never interfered with the civil disputes of the petitioner with the fourth respondent.

A perusal of the affidavit filed in support of the Writ Petition does not disclose about the pendency of the above criminal case or filing of the charge sheet. If the petitioner is having any dispute with the fourth respondent, it is open to her to take appropriate civil proceedings in

accordance with law, but in view of the statement made by the second respondent, no further action can be taken in the present Writ petition.

The Writ Petition is, accordingly, dismissed. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 01.02.2017
Nsr

