

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 26281 OF 2017

ORDER:

This Writ Petition has been filed seeking a *mandamus* to declare the action of the official respondents in not referring the matter with respect to Crime No. 124 of 2015 registered for the offences punishable under Sections 420, 406, 120(B) of the Indian Penal Code and Section 5 of APPDFE Act to the Central Crime Station, Hyderabad, as illegal and arbitrary.

The case of the petitioner is that he filed a complaint on 15.03.2015 alleging various mis-deeds on the part of the promoters of Aliens Developers, but still, no FIR was registered in connection therewith nor any investigation has been taken up.

Heard learned counsel for the petitioner.

Learned Government Pleader for Home has placed on record the charge sheet filed in relation to Crime No. 124 of 2015 dated 15.03.2015 which was registered based on the complaint dated 15.03.2015 of one Sri Manish R. Bhatia, Sri Avasarala Ram Prakash, S/o Rama Murthy and one Sri Gangarapollu Ram Mohan Rao, S/o Ganapathi Rao. He further submits that apart from the petitioner, various others have also filed complaints in relation to a private limited company in the name and style of 'Aliens Developers Private Limited' and its promoters alleging that they had collected huge sums towards advance with the promise to hand over the housing flats. However, they had not lived up to their promise and in that process, the said company as well as its promoters have cheated the complainants. According to him, the

Investigating Officer, having taken into consideration the complaints received and considering the fact that all the complaints are relating to one company and the individuals connected therewith, had comprehensively investigated the matter and filed the charge sheet.

Considered the respective submissions. As can be seen from the copy of the charge sheet, which is placed before this Court, it is evident that the complaint made by the petitioner Sri K. Pradeep Reddy, who was promised to give Flat No. 622 in Station – 4, Space Station-I, had also been taken into consideration apart from the other complaints received from Sri A. Srinivasa Rao, Smt. A. Padmavathi, Sri Uppala Praveen Reddy, Sri Aneeh Nayudu, Sri Srinivas Kalyan Narisepalli, Sri Kuldeep Raizada, Sri Rahul Pratap Singh, etcetera.

In those circumstances, if the petitioner has any further material, he is at liberty to approach the learned Additional Judicial Magistrate of I Class at Sangareddy before whom C.C. No. 503 of 2017 is pending adjudication and seek permission of the Court to assist the prosecution by invoking Section 302 of the Code of Criminal Procedure.

Subject to the above, the Writ Petition stands disposed of. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

CHALLA KODANDA RAM, J

30th August 2017

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