

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.13062 of 2017

Order:

This Writ Petition is filed challenging the registration of FIR No.45 of 2017 dated 06.04.2017 by the second respondent on the complaint lodged by the third respondent.

The third respondent filed a suit for permanent injunction in O.S.No.8 of 2017 before the Principal Junior Civil Judge, at Asifabad in respect of her land of an extent of Ac.3.20 gts., situated in Survey No.123/1/1 of Pulikunta village, Rebbena Mandal, Kumram Bheem Asifabad district. She lodged a complaint on 06.04.2017 stating that the boundaries of the land were disturbed and a document was created encroaching a portion of the land and selling it to some third parties. It is also alleged in the complaint that she was threatened with filing a case under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

A reading of the complaint disclosed a *prima facie* case for registration of the crime, which was done by the second respondent and this Court is not inclined to interfere with the registration of the crime, but directs the second respondent that while investigating the case he shall follow due process of law including compliance with Section 41-A of the Code of Criminal Procedure, 1973.

The Writ Petition is, accordingly, disposed of. 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: 12.04.2017
Nsr