

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.46493 of 2016

ORDER

Challenging the inaction of the 3rd respondent in registering the complaint dated 20.12.2016 of the petitioner against the 4th respondent, the present writ petition is filed.

Heard learned counsel appearing for the petitioner and learned Government Pleader for Home appearing for respondents 1 to 3.

It is the case of the petitioner that his father purchased land admeasuring 357 square yards under a registered sale deed bearing Doc.No.1836/1951. His father was Guru of Ramchandra Ji Mutt situated at Jumerath Bazar, Hyderabad. The petitioner has been residing in the said Mutt and after death of his father, he succeeded to the said property. However, the 4th respondent forged documents registering the property in his own name. It is the further case of the petitioner that he approached the 3rd respondent on 15.12.2016 brining to his notice about the activities of the 4th respondent and thereafter, lodged the complaint dated 20.12.2016. When no action was taken thereon, the present writ petition is filed.

A counter-affidavit is filed by the 3rd respondent stating that after receipt of the complaint, the same was entered in the station records and preliminary enquiry was conducted. The 4th respondent earlier filed W.P.No.31932 of 2016 seeking a direction

to the 3rd respondent therein to render assistance to the Bailiff of the II Additional Rent Control Court, Hyderabad, for execution of warrant in EP No.12 of 2015 in RC No.16 of 2015. This Court *vide* order dated 29.9.2016 provided assistance. The 4th respondent filed another W.P.No.32119 of 2016 for the very same relief and this Court passed an interim order on 26.9.2016. After implementation of the said orders, the petitioner approached the 3rd respondent and lodged the said complaint claiming the very same property. In view of the civil disputes between the petitioner and the 4th respondent, he was advised to approach the concerned Civil Court.

Perused the complaint. The allegations in the complaint disclose that they are civil in nature.

In the circumstances, the action taken by the 3rd respondent is proper and if the petitioner has any grievance, he has to approach the concerned civil Court and seek appropriate relief against the 4th respondent.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

22nd January, 2017
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