

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.36136 of 2017

ORDER:

The petitioner prays for the following relief:

“.....writ of mandamus and declare the action of the respondents particularly respondent Nos.2 to 5 in not taking action on the complaint dated 18.09.2017 and 16.10.2017, not providing protection for cultivating petitioners lands to an extent of Ac.06-08 cents in RS.No.428 of Kurukuru Village, Devarapalli Mandal is illegal, arbitrary and violation of Article 14, 19(i) (g) Article 21 and 300 A of the Constitution of India consequently direct the respondents to provide necessary protection to the petitioners life and property after registering a crime investigating into the offence.....”

The Assistant Government Pleader on instructions dated 30.10.2017 informs as follows:

“Crime No.277/2017 u/s448, 506 IPC dated 10.10.2017

It is submitted that on Mohd.Nawaz, S/o Mohd. Ziauddin has lodged a complaint against 1) Shravan (Writ Petitioner herein) and 2) Nazeer Ahmed and others, stating that the said persons are interfering into their property and illegally trespassing into their land along with some unsocial elements and leased out Vijaya Water Plant to one Shaik Babar Ahmed and abused the workers in filthy language and bet them.

Based on the above complaint, a case in Crime No.277/2017 u/s 448, 406 IPC was registered and took up for investigation.

It is submitted that while the above mentioned two crimes are under investigation, the petitioner has given a

complaint dated 24.10.2017 stating that they are in possession of the subject land and Mr. Syed Mustafa Kabeer and others have created documents as if his father has sold Ac.4.00 to them under Agreement of Sale and also issued rent receipts and based on said fabricated documents they file suit before the Court and later they tried to grab his land by trespassing into the land. He requested to take necessary action against Syed Mustafa Kabeer and others.

It is submitted that as the subject matter of complaint dated 24.10.2017 is an offshoot of the complaint dated 10.10.2017 vide Crime No.276/2017 u/s 448, 427, 506 IPC dated 10.10.2017, a GD entry was made in the station records on the same day i.e., 24.10.2017 and it has been made part of Crime No.276/2017. It is submitted that based on the investigation, appropriate action will be taken in the matter.

In view of the above mentioned facts, it is submitted that, it is not correct to contend that the Golconda Police have not taken any action on the petitioner's complaint. It is submitted that action has already been taken on the petitioner's complaint. After completion of investigation, appropriate report will be filed before the concerned court.

For the above stated reasons, it is rayed that this Hon'ble Court may be pleased to dismiss the writ petition."

The statement is placed on record and accepted.

This Court has no reason to doubt that the 1st respondent since has made General Diary entry acts in accordance with law.

Writ petition is accordingly, disposed of. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 13.11.2017
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