

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION NO.35498 of 2017

ORDER:

Heard Sri K.R.Sasidharan Nair for petitioners and the Assistant Government Pleader (Home) for respondents 1 to 3.

The writ prayer reads as follows :-

“... to issue a Writ, Order or Direction, more particularly one in the nature of a Writ of MANDAMUS, declaring the action of the Respondents 2 and 3 herein in not registering a crime against the Respondents 5 to 7 herein basing upon the complaint given by the petitioners herein dated 04.09.2016 with regard to the highhanded action of the Respondents 5 to 7 herein for their acts of trespass and removing Survey Stones in respect of the patta land to an extent of Ac.0.12 cents forming part of Survey Nos.68 & 69, situated at S.C. Colony, Garikapadu Village, Krosuru Mandal, Guntur District, Andhra Pradesh, which was allotted for a Temple in S.C. Colony, as illegal, arbitrary and consequently direct the Respondents 2 and 3 herein to register a crime against the Respondents 5 to 7 herein forthwith, investigate the same”

The Assistant Government Pleader, on instructions, states that the inaction complained in the writ petition is untenable for respondent No.3 has not received complaint dated 04.09.2016 and if at all receives the complaint, the 3rd respondent will look into the complaint in accordance with law.

Sri K.R.Sasidharan Nair, submits that it is not known whether the complaint dated 04.09.2016 in fact is received or not and

therefore seeks liberty of the Court to submit copy of complaint dated 04.09.2016 to 3rd respondent and 3rd respondent may be directed to look into the complaint.

The statement is placed on record.

The writ petition is disposed of by this order.

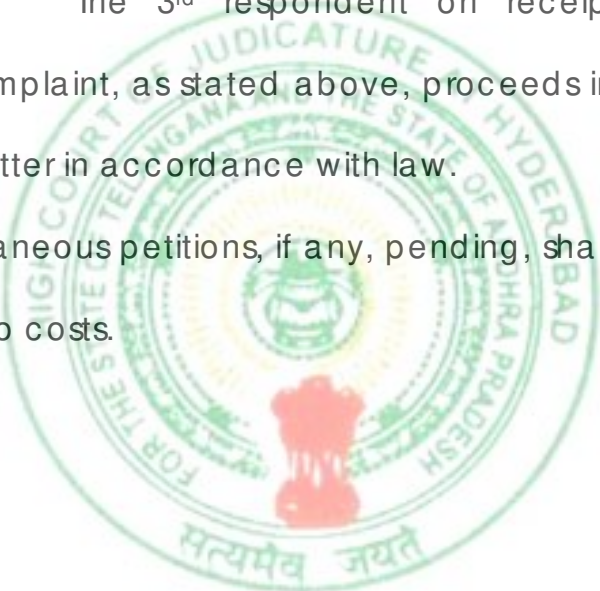
(a) The petitioners are given liberty to re-submit complaint dated 04.09.2016 to 3rd respondent by enclosing a copy of this order within two weeks from today.

(b) The 3rd respondent on receipt of complaint, as stated above, proceeds in the matter in accordance with law.

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

No order as to costs.

Dt: 25.10.2017
Prv

S. V. BHATT, J

