

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.34661 of 2017

ORDER:

Heard Mr V.V.Ramana for petitioner and the learned Assistant Government Pleader for Home.

The petitioner prays for the following relief:

“... writ of *mandamus* directing the action of respondent No.3 in rejecting to take cognizance of the complaint made by the petitioner dated 01.10.2017 against the persons responsible for their trespassing and threatening the petitioner and refusing to registering the case stating the matter belongs to civil in nature and advised the petitioner to approach the Court, is illegal, arbitrary and contrary to law consequently direct the respondent No.3 to register the complaint of the petitioner dated 01.10.2017 and to conduct and complete the investigate in terms of the Criminal Procedure Code and take the necessary appropriate action.....”

The learned Assistant Government Pleader on instructions states that the preliminary investigation revealed that subject matter of complaint is civil dispute and since it is not a cognizable offence, the 3rd respondent is following the

procedure under Section 155 Cr.P.C and would be attending to complaint dated 01.10.2017.

The statement is placed on record and the writ petition is disposed of accordingly. No order as to costs.

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

Dt: 20.10.2017
dv

S. V. BHATT, J

