

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.3147 of 2018

When the matter is taken up, written instructions, dated 05.02.2018, furnished by the Inspector of Police, Malkajgiri Police Station, Hyderabad, are placed on record by the learned Government Pleader. The said written instructions read as under:

“The petitioner herein has approached the police of Malkajgiri Police Station and lodged a complaint on 20.01.2018 at 19.30 hours stating that he is the absolute owner and possessor of land Sy.No.764, extent Ac.04.02 gts. Situated at Malkajgiri village and the above said land the South Central Railway had encroached upon nearly 1600 sq.yards and constructed Railway Reservation office without having any right or entitlement and that he pursued the litigation against them for years together and finally he got surveyed the entire land and finally the District Collector issued orders to measure the property and accordingly the District Surveyor conducted the survey duly issuing notices to the Railway Authorities sand identified his property and the Railway property and fixed the boundaries and identified his Sy.No.764 and its extent and also given a report that the Railway Reservation office was constructed in his property and the revenue authorities also verified the record and got mutated the property in his name and his name is reflected in pahanis as pattadar and possessor and later some of the local antisocial elements have been harassing him with an intention to grab his property as part of their activity some of the land placed

photographs of Hindu Religion Gods and Stone and put kum kuma over it side by side put a cross i.e. the symbol of Christianity in his land in Sy.No.764 and hence requested the police to take necessary action as per law.

Basing on the contents of the above complaint, a case in Cr.No.67/2018 U/Secs.447 and 427 IPC dated 20.01.2018 was registered on the file of Malkajgiri Police Station and taken up the investigation into the case.

During the course of investigation, the investigation officer contacted the petitioner/complainant over phone requesting him to appear before the investigation officer for recording his statement and to produce the relevant witnesses but he did not turn up till date.

As part of investigation into the case, notice U/sec.91/160 Cr.P.C. dated 31.01.2018 was issued to the petitioner herein requesting him to appear before the investigation officer along with the documentary evidence and also to produce the witnesses to enable the investigating agency to proceed with further course of investigation into the case. Instead of cooperating with the investigating agency by producing the relevant documentary evidence and witnesses, he filed the present writ petition.

It is pertinent to submit that action was taken on the complaint dt.20.01.2018 of the petitioner by way of registration of the above case vide Cr.No.67/2018 dt.20.01.2018 and taken up the investigation into the case. The investigation is pending for want of examination of some more witnesses and perusal of the relevant documents and obtain information from the Revenue officials. Necessary steps will be taken against

the concerned accused depending on the evidence adduced during the course of investigation into the case. I assure to this Honourable Court that the investigation will be completed as expeditiously as possible”.

Eventually, a request is made by the learned counsel for the petitioner to place the said written instructions on record and dispose of the Writ Petition.

Accordingly, the Writ Petition is disposed of, by placing on record the above written instructions.

Miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI

12th February, 2018.
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