

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.3367 OF 2018

ORDER:

Heard learned counsel for the petitioners and the learned Government Pleader for Home (A.P.) appearing for the official respondents.

2. When the matter is taken up, written instructions, dated 05.02.2018, furnished by the Station House Officer, Vemuru Police Station, Guntur District are placed on record by the learned Government Pleader for Home. The said instructions read as under:-

"It is submitted that the 1st petitioner herein has lodged a complaint dated 2.10.2017 with PS : Vemuru stating that she has some land in Pothumarru Village and leased out the said land to Eepuru Boyozza, Eepuru Maryadarao and Bandi Rambabu. Due to ill-health she is residing in Hyderabad. On 17.9.2017 she was informed over phone by her lessee that Nagireddy and Sivareddy registered a case against her and the S.I. of Police, Vemuru PS ordered them not to enter into the land for cultivation. She reported the matter to the DSP, Tenali and the DSP assured that the police will not interfere in civil matters. Thereafter, Pulivarthi Ramudu, S/o.Williams went to the house of Boyejja and threatened him of dire consequences and also abused her. The said Pulivarthi Ramudu further stated that, the land belongs to Nagireddy and Sivareddy and not to the complainant and the complainant has no right to lease the said land. The 1st petitioner further stated that the said person along with others is harassing her and threatening to kill her apart from directing her not to enter the land.

Based on the above complaint, a case in Crime No.72/2017 u/s.509, 506 r/w 34 IPC was registered on

3.10.2017 and took up for investigation. Pulivarthi Ramudu and 3 others are accused in this crime. It is submitted that during the course of investigation, Vemuru Police examined and recorded the statement of the 1st petitioner and L.Ws.2 to 5. Later visited the scene of offence and prepared the rough sketch of the scene of offence. On 4.10.2017 examined and recorded the statements of L.Ws.6 to 9.

The statements of the witnesses and evidence collected established that the 1st petitioner sold their land to an extent of Ac.5.51 cents, Ac.1.00 cents and Ac.0.94 cents under 3 documents of the Sub-Registrar, West Tenali to Bhavanam Siva Reddy, R/o.Ganganammampet, Tenali on 30.12.2011 for Rs.16.53 lakhs. Later Bhavanam Siva Reddy sold the land to Meka Chandrasekhar Reddy and his wife Anitha. The Tahsildar also certified that the lands are under the possession of said persons in his letter dated 30.11.2017. The said persons have also applied for pattadar passbooks and the record also reveals that Meka Chandrasekhar Reddy and his wife Anitha are entitled for issue of pattadar passbooks to them.

The investigation further disclosed that the petitioners herein have filed O.S.No.335/2017 on the file of the Hon'ble Prl.Junior Civil Judge, Tenali seeking permanent injunction against the alleged accused persons and it is pending.

It is submitted that, during the course of investigation in the above crime, Vemuru police examined and recorded the statements of the 1st petitioner and others, based on the complaint lodged by the 1st petitioner. But, Vemuru police have not threatened the 1st petitioner or the other petitioners to vacate from their lands. The police are not interfering with the peaceful possession and enjoyment of the petitioners in respect of the subject land.

It is submitted that the above Crime No.72/2017 is pending investigation for examination of some more

witnesses. It is submitted that, after completion of investigation, appropriate report will be filed against the accused.

It is submitted that, the apprehension of the petitioners that the unofficial respondents may forcibly dispossess them from the subject land is not correct. Since FIR has already been registered against them and the police are investigating into the same, the apprehension of the petitioners regarding interference and dispossession is not correct. The allegation of interference and dispossession made by the petitioners against Vemuru Police is false, baseless and hereby denied.”

3. Having regard to the above instructions and taking into consideration the submissions of the learned counsel for the petitioners and the learned Government Pleader, this Court deems it appropriate to dispose of the writ petition by placing on record the above said instructions furnished by the Station House Officer, Vemuru Police Station, Guntur District.

4. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

5. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE A.V.SESHA SAI

Date : 26.02.2018
AMD

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI



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AMD