

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.3501 of 2018

ORDER:

When the matter is taken up, written instructions, dated 05.02.2018, furnished by the Sub-Inspector of Police, Eluru Rural Police Station, West Godavari District, are placed on record by the learned Government Pleader for Home (AP) appearing for the respondent Nos.1 and 2. According to the said written instructions the petitioner herein filed O.S.No.221/2016 on the file of the I Additional Junior Civil Judge, West Godavari District, Eluru seeking perpetual injunction, with regard to the subject property, and the learned Judge, by way of an order, dated 22.07.2016, in I.A.No.213/2016, granted interim injunction. It is stated in the written instructions that the third respondent also filed O.S.No.94/2017 on the file of the Principal Civil Judge, Eluru and the said Court granted *status quo* order. It is further stated that the Civil Court did not pass any order to provide protection to the petitioner's land. It is also stated that, with regard to the above said land, on the hospital intimation and the statement of the petitioner and after obtaining permission from the Special Judicial Magistrate of First Class (Excise), Eluru, a case was registered in Cr.No.93/2017, dated 09.06.2017, for the offences under Sections 323 r/w 34 IPC, against the third respondent on the file of the Eluru Rural Police Station and that the investigation proved that the petitioner lodged false

complaint. It is further stated that the Sub Divisional Police Officer, Sub Division, Eluru accorded permission to refer the case as 'false' vide C.No.725/Refer/SDO.E/2017, dated 29.07.2017 and that notice to the complainant was also served and the final report was filed before the concerned Court.

In view of the above written instructions, no relief can be granted in the present Writ Petition. However, it is open for the petitioner herein to avail the alternative remedy available to her.

Accordingly, the Writ Petition is disposed of. Miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

06th February, 2018
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A.V.SESHA SAI,J

