

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.4130 OF 2018

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader for Home (T.G.) appearing for respondent Nos.1 to 4.

2. When the matter is taken up, written instructions, dated 08.02.2018, furnished by the Sub-Inspector of Police, Gajwel Police Station, Siddipet District, are placed on record by the learned Government Pleader for Home. The said instructions read as under:

“On a complaint lodged by the petitioner herein with the police of Gajwel Police Station, Siddipet District, a case in Cr.No.73/2017 U/secs.447, 427 IPC dated 10.3.2017 was registered against Mr.Kondal Reddy (5th respondent herein) and others as they criminally trespassed into the lands of the petitioner covered by Sy.No.490 Ac.1.00 gts situated at Pragnapur village and re-destroyed the fencing wall and taken up the investigation into the case.

During the course of investigation, the investigation officer examined the complainant/petitioner and 2 other witnesses and recorded their detailed statements.

As part of investigation into the case, letters dated 24.2.2017, 19.9.2017, 26.12.2017 were addressed to the Asst.Director, Survey and Land Records, Siddipet requesting him to conduct survey over Sy.No.488 and 490 situated at Pragnapur to enable the investigating agency to proceed with further course of action into the

case. The reply from the Assistant Director, Survey and Land Records, Siddipet is awaited.

As per the requisition made by this respondent police on 4.2.2017 before the Executive Magistrate at Tahsildar, Gajwel Mandal, Sec.145 Cr.P.C. were promulgated by the Tahsildar, Gajwel Mandal vide Procs.No.B/4206/2017 dated 16.3.2017 to maintain law and order to prevent any untoward incidents at the disputed land in Sy.No.490/A.

It is submitted that prima facie case is yet to be established. The investigation is pending for want of examination of some more witnesses and for the demarcation of subject lands of the complaint by the Assistant Director, Survey and Land Records. It is pertinent to submit that fair and impartial investigation is going on. Necessary steps will be taken against the accused concerned depending on the evidence adduced during the course of investigation into the case.

It is submitted that the averments made in the affidavit are the subject matter of investigation in Cr.No.73/2017, for which, a detailed investigation is under progress. After completing the investigation file appropriate report before the concerned Hon'ble Court."

3. Having regard to the above instructions and taking into consideration the submissions of learned counsel for the petitioner so also the learned Government Pleader for Home, the Writ Petition is disposed of, by placing on record the above said written instructions, dated 08.02.2018, furnished by the Sub-Inspector of Police, Gajwel Police Station, Siddipet District, with a further direction to the respondent police to complete the investigation as expeditiously as possible. There shall be no order as to costs.

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

JUSTICE A.V.SESHA SAI

Date: 22.02.2018
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