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

W.P.No.4402 of 2018

O R D E R:

The grievance of the petitioner in the present writ petition is the alleged inaction on the part of the respondent in taking action and registering FIR on the complaint of the petitioner dated 25.01.2018.

2. A counter affidavit deposed by the Inspector of Police, Tappachabutra Police Station, Hyderabad City/the fourth respondent herein is filed. Paragraph No.4 of the said counter affidavit reads as under:

> "4. It is respectfully submitted that in the enquiry, this respondent has obtained instructions from the Tahsildar, Asifnagar mandal vide Lr.No.B2/62/2018 dated 3.2.1018 stating that post picketing at the subject land resident H.No.12-2-393 to 413 to avoid illegal encroachments and untoward incidents. A careful reading of the complaint of the petitioner herein as well as the report of the Tahsildar, it came to light that the matter of the petitioner herein is to declare the ownership of the said land which is purely civil in nature. Accordingly, the complaint of the petitioner herein was closed as civil nature. To that effect a notice dated 1.3.2018 was also communicated to the petitioner herein which was received by him on 1.3.2018 itself. Since the dispute of the petitioner as well as the persons named in the complaint is purely civil in nature and hence no action was taken on the complaint dated.25.1.2018 and accordingly the result of the petition was communicated to the petitioner herein on 1.3.2017. The contentions contra is untrue and hereby denied. The allegations contra are untenable. There are no merits whatsoever warranting the interference of this Hon'ble Court under Art.226 of the Constitution of India. The writ petition is liable to be dismissed."

2. In view of the contents of the above paragraph No.4 of the counter affidavit, leaving it open for the petitioner herein to avail the remedies open for him under the Code of Criminal Procedure, the writ petition stands disposed of. As a sequel thereto, miscellaneous petitions, if any, shall stand disposed of. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 12.11.2018

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

W.P.No.4402 of 2018

Dated: 12.11.2018

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