

HON'BLE SRI JUSTICE P. KESAVA RAO

WRIT PETITION No. 18072 of 2013

ORDER:

There is no representation on behalf of the petitioners.

The prayer sought in the writ petition is as under:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Court may be pleased to issue a writ, order or direction more particularly in the nature of writ of mandamus declaring the action of the respondents 1 to 3 herein in not registering the complaint made by the petitioners vide complaint dated 17-8-2012 is high handed and arbitrary action and the action of the 3rd respondent in not taking any action on the directions issued by the 2nd respondent against the respondents 3 to 6 is illegal, unjust and arbitrary, contrary to all cannons of law and as such liable to be set aside in the interest of justice with a consequential direction to the respondents herein to register the complaint made by the petitioner on 17-8-2012 under the provisions of SC & ST (POA) Act and to take appropriate action as per law against respondents 3 to 6 and pass such other relief or reliefs as this Court may deem fit and proper in the circumstances of the case.”

During the course of hearing, the learned Government Pleader appearing for the respondents 1 to 3 placed on record the written instructions dated 19.07.2013 issued by the S.H.O. Sabbavaram, Police Station, Visakhapatnam District. The same are made of the record.

From the perusal of the said instructions, it is evident that the petitioners lodged a complaint on 17.8.2013 with the Police Station, Sabbavaram stating that they purchased the house site in an extent of Ac.0.19 cents in Sy.No.200/1-A of Mallunaidupalem village from Gandhi Demudu i.e. 6th respondent. However, the respondents 4 and 5 obstructed the constructions being made by the petitioners. Based on the complaint lodged by the petitioners the S.I. of Police, Sabbavaram, enquired into the matter and

ascertained that the respondents 4 and 5 have not abused the petitioners by touching their caste name and they have not threatened them. As the matter is civil in nature, the respondent police suggested the petitioners to approach the civil Court. It is also further mentioned in the instructions that on enquiry made by the Circle Inspector of Police, Ankapalli Rural as per the endorsement made by the Addl. Superintendent of Police, Visakhapatnam found that no such incident took place.

In view of the said written instructions, this Court is of the opinion that there are no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

Miscellaneous petitions, if any, shall also stand closed.

P. KESHA VA RAO, J

Date: 29.11.2018
ccm



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