

THE HON'BLE SRI JUSTICE P.KESHA VA RAO

WRIT PETITION NO. 28298 OF 2015

ORDER:

1. The prayer sought in the Writ Petition is as under:

"....to issue order, direction, writ more particularly one in the nature of writ of MANDAMUS declare the action of the respondents in not taking on the complaint given by the petitioner on 02.08.2015 as illegal, arbitrary and contrary to the provisions of Cr.P.C. and consequentially direct the respondents to initiate appropriate action on the complaint given by the petitioner on 02.08.2015 by providing necessary protection to the petitioner land covered in RS No.449/1A, 449/1B Ac.6.77 Cts situated at Velthuruvarigudem Village, Buttaigudem Mandal, West Godavari District."

2. The grievance of the petitioner is that he is in possession and enjoyment of the land admeasuring Ac.6.77 cents in Sy.No.449/1A and 449/1B situated at Velthuruvarigudem village, Buttaigudem Mandal, West Godavari district. The said land was purchased by his grand father M.Satyanarayana from one N.Subbamma under registered document dated 25.4.1966. On 2.8.2015, one P.Venkateswar Rao and others trespassed into his land and removed palm oil trees existing in the subject property and threatened him to withdraw the cases filed by him against them otherwise he has to face dire consequences. Immediately thereafter, the petitioner gave a complaint to respondent Nos. 2 to 4. However, no action has been taken. Questioning the said inaction, the present Writ petition is filed.

3. Learned Government Pleader appearing for respondent Nos. 1 to 4 placed on record the written instructions dated 4.11.2015 issued by the Station House Officer, Buttaigudem P.S, West

Godavari district. A perusal of the said instructions would reveal that on the complaint lodged by the petitioner, a case in Cr.No.83 of 2015 under Sections 447, 427 and 506 read with 34 IPC has been registered against P.Venkateswar Rao and others and investigation has been taken up. In fact, a requisition was sent to the Tahsildar, Buttaigudem Mandal dated 3.8.2015 to furnish the particulars of the said land for the purpose of investigation and the report is awaited.

4. In view of the said specific instructions, the grievance of the petitioner has been redressed and no further cause would survive in the Writ Petition.

5. Placing the said written instructions on record, the Writ Petition is closed.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.



P. KESHA VA RAO,J

Date: 22.11.2018

KPM