

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.1812 of 2014

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners to quash the proceedings, dated 28.01.2014, passed in R.C.No.57/2014-A, by the 2nd respondent—Tahsildar & Executive Magistrate, Gurajala Mandal, Guntur District, under Section 145 of Cr.P.C.

2. Heard the learned counsel for the petitioners, learned counsel for the implead petitioners, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. As seen from the impugned proceedings, the Executive Magistrate stated that there were rival claims in respect of the land in dispute situated at Gurajala Mandal, Guntur District. The private parties appearing before the Court are claiming title and possession in respect of the disputed land. The grievance is required to be adjudicated by a competent civil Court. It is also brought to the notice of this Court that none of the parties have filed a civil suit with regard to the disputed property. Both the parties are intending to seek appropriate remedy available to them in respect of the disputed land before competent civil Court.

4. Under these circumstances, the proceedings, dated 28.01.2014, passed in R.C.No.57/2014-A, by the 2nd respondent—Tahsildar & Executive Magistrate, Gurajala Mandal, Guntur District, under Section 145 of Cr.P.C, are hereby set aside.

5. The Criminal Petition is ordered accordingly.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

Dr. SHAMEEM AKTHER, J

01st February, 2018
Bvv

