

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.34740 of 2018

ORDER:

When the matter is taken up, written instructions dated 15.11.2018 furnished by the Sub-Inspector of Police, Vemulapalli Police Station, Nalgonda District are placed on record by the learned Government Pleader for Home.

To the extent of their relevance to the present writ petition, the said instructions read as under:

“On an complain of Mr.Putta Guravaiah (writ petitioner herein) lodged with the police of Vemulapalli Police Station, Nalgonda District, a case in Cr.No.82/2016 U/secs.448, 427, 506 r/w 34 IPC dated 20.06.2016 was registered against Mr.Gunda Venkanna (6th respondent herein) as he trespassed into his house and threatened him “why he bought the house” and occupied the house and taken up the investigation into the case.

The 7th respondent herein is shown as accused in the FIR along with other accused.

The investigation is under progress. It is pending for want of examination of some more witnesses and for collection of material evidence to establish the offences mentioned in the FIR.

Once again on a complaint of Mr.Gunda Venkanna (7th respondent herein) lodged with the police of Vemulapalli Police Station, Nalgonda District, a case in Cr.No.107/2018 was registered against the petitioner herein and others as they trespassed into his house and threatened him and beat him with stick on his head and ask him to immediately vacate the house and taken up the investigation into the case.

The petitioner herein is shown as accused in the FIR along with other accused.

It is pertinent to submit so far five cases were registered as mention supra on the file of Vemulapalli Police Station on the complaints of the 6th respondent herein and taken up the investigation into the case.

Two cases were registered against the 6th respondent herein on the complaints of the petitioner herein on the file of

Vemulapalli Police Station and taken up the investigation into the case.

It is also pertinent to submit that having bore grudge against the 6th respondent/complainant on whose complaints, so far 5 cases cited supra were registered against him, the petitioner made false and baseless allegations with an intention to divert the attention of the investigating agency in not conducting the investigation into the cases as contemplated under law.

It is pertinent to submit that one Mr.Gunda Venkanna/5th respondent herein has filed W.P.No.22902/2017 before the Hon'ble Court seeking a Writ of Mandamus directing the SHO., Vemulapally Police Station to implement the orders of the Civil Court in I.a.No.631/2016 in I.A.No.314/2016 in O.s.No.58/2014 on the file of the Hon'ble Senior Civil Judge at Miryalaguda dt.31.3.2017.

For the alleged violation of the orders passed by this Hon'ble Court in W.P.No.22902/2017 dated 4.09.2017, the 5th respondent Mr.Gunda Venkanna has also filed Contempt Case No.2159 of 2018. The said contempt case is still pending adjudication before this Hon'ble Court.

It is humbly submitted that pursuant to the interim orders passed by this Hon'ble Court and for compliance of the orders passed by the Hon'ble Court of Senior Civil Judge at Miryalaguda in I.A.No.632/2016 in I.A.No.314/2016 in O.S.No.58/2014, this respondent has provided police protection to the 5th respondent herein and vacated the house of the petitioner herein and hand over the same to the 5th respondent herein."

Having regard to the above instructions, petitioner is not entitled for any relief.

Accordingly, the writ petition is dismissed. There shall be no order as to costs. Miscellaneous Petitions pending consideration, if any, in this Writ Petition shall stand closed.

JUSTICE A.V.SESHA SAI

Date :20.11.2018
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