

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

W.P.No.38622 of 2018

ORDER:

When the matter is taken up for hearing, the written instructions dated 29.10.2018 furnished by the Station House Officer, Burgampadu Police Station are placed on record by the learned Government Pleader.

The written instructions dated 29.10.2018 read as under :-

“At the outset, it is respectfully submitted that I have assumed charge as Sub Inspector of Police, Burgampadu Police Station in the month of September, 2018 and basing on the records, I am submitting the written instructions for the kind perusal of this Hon'ble Court.

It is respectfully submitted that as of now, no complaint or case whatsoever was received or registered against the petitioner herein on the file of Burgampadu Police Station, Bhadradi Kothagudem District.

It is submitted that the allegation of the petitioner when Mr.Gogireddy Konda Reddy and Pratap Reddy are illegally interfering with his peaceful possession and enjoyment of the lands, he filed a Civil Suit in O.S.No.136 of 2017 on the file of the Sub Divisional Magistrate (Mobile Court) at Bhadrachalam and obtained ad-interim injunction orders against them but the above named persons having failed their attempts, influenced this respondent, and this respondent prevented the petitioner from entering into his land is absolutely false, baseless and hence denied. In this regard, it is submitted that till date, the above named persons did not approach this respondent police station and lodged any complaint against the petitioner herein. This respondent never

prevented the petitioner from entering into the suit scheduled lands in question.

I humbly submit that I have got highest regard and respect towards the orders passed by the Hon'ble Court in I.A.No.127/ 2017 in O.S.No.136/ 2017.

I humbly submit that the allegation of the petitioner that on coming to know the lodging of the complaint before the higher-ups against this respondent, this respondent deputed police constables to his lands who prevented him from entering into his land is utterly false, baseless and hence denied.

I humbly submit that this respondent never interfered with the civil disputes much less the dispute of the petitioner herein.

I humbly submit that having bore grudge against the defendants in the suit in O.S.No.136/ 2017 who alleged to have been trying to grab his land, the petitioner made baseless allegations against this respondent. I humbly submit that this respondent is not the competent authority to dispossess the petitioner from the subject lands in question.

It is submitted that though the petitioner made allegations against Mr.Gogireddy Konda Reddy and Pratap Reddy are alleged to have been trying to grab his subject land, for the reasons best known to the petitioner, intentionally not made them as proper parties to this writ petition. For non-joinder of necessary parties to this writ petition, on this ground alone, the writ petition is liable to be dismissed. If the petitioner made the above named persons as party respondents, certainly, the real facts would have come to light.

I humbly submit that the representation dated 06.10.2018 alleged to have been submitted by the petitioner to the respondents 2 and 3 herein is pending consideration. Certainly action will be taken by conducting enquiry into the same and the action

taken report will be communicated to the petitioner at the earliest.”

By accepting and placing the above instructions on record, the writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

A.V.SESHA SAI, J

Date: 19.11.2018
Prv

