

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.39824 of 2018

ORDER:-

When the matter is taken up, the written instructions furnished by the Sub-Inspector of Police, Duvvada Police Station, Visakhapatnam City, dated 09.11.2018, are placed on record by the learned Government Pleader. The said instructions read as under:-

“The facts of the case are that the 5th respondent Karri China Talli had lodged a complaint on 24.10.2018 with the respondent No.3 Station House Officer, Duvvada Police Station, Visakhapatnam City, stating that he is owner of the land under Sy.No.52, admeasuring Ac.1.65 cents, situated at Talarivanipalem village. The petitioners came to the said land and threatened to dispossess the 5th respondent.

It is submitted that while the complaint of the 5th respondent was received, the petitioners herein also lodged a complaint with the respondent No.3 Station House Officer, Duvvada Police Station, Visakhapatnam City, stating that the petitioners are in possession and enjoyment of the lands under Sy.No.52, admeasuring Ac.4.56 cents, situated at Talarivanipalem village. The petitioner further stated that there is revenue litigation on document and measurement in IB register. The respondents 4 and 5 are the distance relatives and they have no connection with the said lands. On 24.10.2018, the respondents 4 and 5 along with others removed cashew nut trees and tried to dispossess the petitioners.

It is submitted that during the course of enquiry, the petitioners and the respondent No.5 stated that they will solve their issue amicably and a joint survey will be conducted and they further stated not to take further action on their complaints. Hence, the 3rd respondent did not proceed further. Examined the complainants and refers in civil in nature and advised both the parties to approach competent Civil Court. In this regard, entry was made into the General Diary and also informed the same to both the parties by way of notice through post on 06.11.2018.

In view of the above facts and circumstances, the contents of both the complaints are civil in nature. It is submitted that the petitioners instead of approaching the concerned Civil Court, filed the present Writ Petition with baseless allegations.

It is submitted that the contentions of the petitioners that the respondents No.3 Station House Officer, Duvvada Police Station, Visakhapatnam City, not taken action on the complaint of the petitioners is incorrect and baseless."

Accordingly, the Writ Petition is disposed of, by placing on record the said instructions furnished by the Sub-Inspector of Police, Duvvada Police Station, Visakhapatnam City, dated 09.11.2018, with a liberty to the petitioners herein to avail other remedies, if any, open to them in accordance with law.

Miscellaneous petitions pending, if any, shall stand disposed of. There shall be no order as to costs.

A.V.Sesha Sai, J

Date:04.12.2018
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