

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.8200 OF 2019

DATED:18-04-2019

Between :

S.Ravi Kiran S/o.S.Vishwanatha Raju
Aged about 44 years, occ: Private Service,
R/o.Flat No.303, Sunrise Jewel Apartments,
KVR Rainbow Colony, Bachupally Village,
Quthbullapur Mandal, Ranga Reddy District, T.S.

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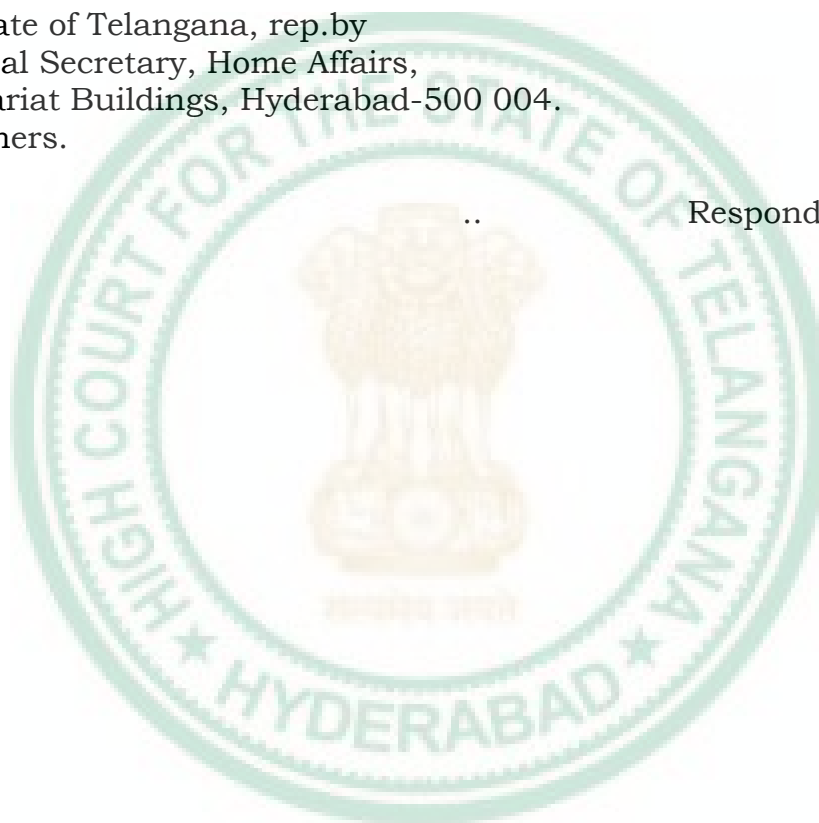
Petitioner

And

The State of Telangana, rep.by
Principal Secretary, Home Affairs,
Secretariat Buildings, Hyderabad-500 004.
and others.

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Respondents



This court made the following :

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.8200 of 2019

ORDER :

This writ petition is filed alleging even though cognizable offence is reported, crime is not registered.

02. Extensive submissions are made by learned counsel for the petitioner alleging that unsocial elements are threatening to dispossess, already moved construction material to the premises of subject property and such action of unsocial elements is clearly in violation of direction of this Court in WP.No.37480 of 2017.

03. According to learned counsel for petitioner, a representation was made to Hon'ble Home Minister on 26-12-2018 alleging illegal interference of some land grabbers. Petitioner filed a complaint to the Station House Officer, Miyapur on 25-03-2019. In this complaint, petitioner alleges that the persons named therein with fraudulent intention mingled with unsocial elements dumped several heavy stones and debris in the property of petitioner, even though status-quo granted by the High Court. Petitioner addressed to the Director General of Police on 09-04-2019 and same is reiterated in the petition enclosed to writ petition. Learned counsel for petitioner vehemently contends that parents of petitioner are old aged and at this age they have been unnecessarily harassed and humiliated in protecting the property. No protection was granted by the police in saving their property.

04. A perusal of the order in WP.No.37480 of 2017, it is seen that prayer sought in the writ petition was against official respondents alleging that they are trying to lay road or for establishing vegetable market in the property belonging to the petitioner in an extent of Ac.0-25 guntas in Sy.No.224 of Madinaguda Village. This Court directed to maintain status-quo in respect of subject property as on that date until further orders. It was applicable to petitioner and official respondents therein. What is alleged now is alleged involvement of some other persons in the possession and enjoyment of property. Therefore, direction issued by this Court cannot bind the persons who are not parties to the writ petition. If some persons are trying to encroach the property of petitioner, remedy of petitioner is elsewhere. Be that as it may, actually complaint to the police was made on 25-03-2019 alleging illegal interference. This writ petition filed immediately thereafter.

05. On elaborate consideration of the issue and having regard to the law laid down by the Supreme Court, this Court in W.P.No.38397 of 2018 and batch, dated 8.3.2019 held that petitioners have to avail statutorily engrafted remedies available to them on issue of non-registration of crime and cannot directly invoke the jurisdiction of this Court.

06. Having regard to the view taken by this Court in W.P.No.38397 of 2018 and batch, dated 8.3.2019, this Writ Petition is also not maintainable and is accordingly dismissed. It is made clear that there is no opinion expressed on the content of complaints. Petitioner is at liberty to avail statutory remedy

ventilating his grievances against delay in registration of crime.

Pending miscellaneous petitions shall stand closed.

P.NAVEEN RAO,J

18-04-2019

Nvl

