

THE HON'BLE SRI JUSTICE P.KESHA RAO

WP.NO.6674 of 2014

ORDER:

There is no representation on behalf of the petitioner.

2. The prayer sought in the Writ Petition is as under:

“to issue an appropriate writ order or direction more in the nature of Writ of Mandamus declaring the action of official respondents in not acting upon petitioners complaint with reference to collection of evidence in spite bringing it to their notice particularly to the notice of respondent no 5 that respondents 7 to 10 have committed theft of the petitioners title documents and mortgaged them in United Bank of India Musheerabad branch along with the forged documents subject matter of Crime No 657/13 on the file of P S Chilkalguda as being illegal arbitrary against the letter and spirit of Sovereign Decalogue more particularly under Articles 19 and 21 of the Constitution of India apart from being violative of principles of natural justice and fair play and consequently direct the respondents to take immediate steps to conclude the investigation and report compliance and pass such other order...”

3. The learned Government Pleader appearing for Home placed on record the Written Instructions dt.14.11.2019 issued by the Inspector of Police, WCO, Team-I, CCS, DD, Hyderabad.

4. From the perusal of the said written instructions it is revealed that the petitioners herein filed a private complaint before the X Additional Chief Metropolitan Magistrate, Secunderabad against one Mr.G.Jagan Mohan, Mrs.Anita Dharnikota, Mrs.Devika Dharanikota, Mr.Sudhakar Dharanikota,

Mr.Madhukar Dharanikota and the officials of the Registration Department. The said complaint was forwarded to the Station House Office, Chilakalaguda Police Station, Hyderabad, under Section 156(3) of CPC for investigation and report. On receipt of the private complaint, a case in Crime No.657 of 2013 for the offences under Sections 419, 429, 423, 447, 467, 468, 471, 506 and 120B IPC was registered on the file of the said police station on 12.11.2013. Subsequently, the same was transferred to the Central Crime Station, Hyderabad, for investigation. After receipt of the CD file from Chilakalaguda Police Station, the same was re-numbered as Crime No.203 of 2014 and investigation was taken up. During the course of investigation, the Investigating Officer examined the petitioners and other witnesses and recorded their detailed statements and incorporated in Part-II Case Diary and collected certified copies of the documents mentioned in the written instructions from the concerned authority. The Investigating Officer filed requisition before the XII Additional Chief Metropolitan Magistrate Court, Hyderabad to direct the XII ACJ, City Civil Courts, Secunderabad to furnish the original documents. On such requisition, the documents mentioned in the written instructions were transferred to XII ACMM Court, Hyderabad. Another requisition was filed on 15.02.2017 before the XII ACMM Court, Hyderabad and requested to send the document No.s 225/1991 and 711/2002 of SRO, Secunderabad along with a letter of advise to the Director of Finger Prints Bureau, CID, Telangana State, Hyderabad. During the course of

further investigation, on 23.06.2017 the Investigating Officer has served a notice under Section 41A Cr.P.C. to Accused No.1.

5. The investigation revealed that one Andrew Humphrey Christie, Theresa Margaret Christie, and Joseph Philip Christie purchased the property bearing Bungalow No.5, Municipal No.6-1-286 to 6-1-289 to an extent of 11,000 sq. yards from one Dullabdass vide registered document No.814/1953 on 11.09.1953. In the year 1968, one Rene Christie died. Her property share was devolved on her father by name Bernard Christie. In the year 1971, Bernard Christie released his share of property in favour of Andrew Humphrey Christie, Joseph Philips Christie and Theresa Margaret Christie vide document No.1118/1971. The said instructions further reveal that on further investigation it was revealed that A1 i.e., G.Jagan Mohan, with an intention to cause loss to the original owner, he affixed the photo of Joseph Philip Christie in the place of Andrew Humphre Christie(a dead person), the photo of Theresa Margaret Christie in the place of Joseph Philip Christie, and the photo of Andrew Humphrey Christie(who died in the year 1997) in the place of Teresa Margeret Christie on the sale deeds vide document No.s 711 and 712 of 2002 with some unknown imposters, who had put their thumb impressions on the documents and executed the documents in favour of LW4 Madhukar Dharanikota and LW3, Sudhakar Dharanikota, respectively, as a GPA Holder. As per the records of the SRO, Secunderbad, it is revealed that

accused, G.Jagan Mohan, alone presented the document as a GPA Holder. After completion of investigation, the Investigating Officer deleted the names of the persons mentioned in the written instructions and filed charge sheet against A1 i.e., G.Jagan Mohan under Sections 419, 429, 423, 468 and 471 IPC. The XII ACMM Court, Hyderabad after taking cognizance of the said offence numbered the case as CC.No.320 of 2017.

6. In that view of the matter, this Court is of the opinion that, there are no merits in this Writ Petition and the same is liable to be dismissed.

7. Accordingly, this Writ Petition is dismissed. No order as to costs.

8. Consequently, miscellaneous applications pending if any shall stand dismissed.

P.KESHA VA RAO, J

15th November, 2019.

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