

THE HONOURABLE SRI JUSTICE P.KESHAVA RAO

WRIT PETITION No.29023 of 2013

ORDER:

Heard the learned counsel for all the parties.

2. The prayer in the writ petition is as under:

“...to issue an appropriate Writ Order or Direction more particularly one in the nature of Writ of Mandamus to declare the action of the respondent police in not taking any action on the complaint on 21.09.2013 given by the petitioners against the unofficial respondent, inspite of the repeated visits, as being illegal, arbitrary and unjust and consequently, direct the Respondent police to forthwith act upon the complaint Dated 21.09.2013 and to take immediate action in accordance with.”

3. Respondent No.3 filed a counter stating that upon the complaint lodged by the petitioners it was entered in the General Diary of the police station to conduct a preliminary enquiry. During the course of preliminary enquiry, a letter was addressed to the Tahsildar, Devarakadra Mandal to verify the revenue records and issue report with details of the subject land enabling them to proceed with further course of action. The Tahsildar by letter dated 10.10.2013 informed the respondent police that the case is pending in the Court of Revenue Divisional Officer, Narayanapet, Mahabubnagar District. Since the disputes are purely civil in nature between the petitioners and the respondent No.4, the respondent police have nothing to do with it. It is also stated in the counter affidavit that the respondent police never interfered in the civil disputes between the petitioners and the 4th respondent. Though a counter affidavit is filed,

there is no rebuttal from the petitioners by way of filing any reply affidavit.

4. Having regard to the said facts, this Court is of the opinion that no purpose would be served to keep the writ petition pending since the remedy available to the petitioners is filing a civil suit and obtaining necessary orders. In that view of the matter, this Court is of the opinion that no further cause would survive in the writ petition.

5. Accordingly, the writ petition is closed. Miscellaneous Applications, if any pending, shall stand closed.

September 12, 2019
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P.KESHAVA RAO, J

