

HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.1753 of 2015

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for the respondents.

The prayer sought in the writ petition is as follows:

“... to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in interfering with the petitioner’s peaceful possession of land to an extent of acres 1-20 guntas in survey No.406, situated at Mancherial Village and Mandal, Adilabad District, as illegal, arbitrary and violative of principles of natural justice and also violative of Article 21 and 300-A of the Constitution of India.”

Learned Government Pleader for Home appearing for respondent Nos.1 to 3 placed on record the written instructions dated 10.02.2015 issued by the Sub-Inspector of Police, Mancherial Police Station, Adilabad District, wherein it is stated that on the complaint of one P. Laxmi Rajaiah, Deputy Tahsildar, Mancherial, Adilabad District, a case in Crime No.25 of 2015 for the offence punishable under Sections 447 and 427 IPC was registered on the file of the Mancherial Police Station on 26.01.2015 against the petitioner and others. During the course of investigation, the Deputy Tahsildar, Mancherial, was examined and his detailed statement was recorded. The investigation is pending for want of examination of some more witnesses. The petitioner’s presence was required in connection with the above said crime. However, on coming to know about registration of the

crime against him, the petitioner has come up with the present writ petition with a malafide intention to divert the attention of the investigating agency for not conducting the investigation of the case in proper and fair manner. Learned Government Pleader brought to the notice of this Court that after completion of investigation, a final report was filed before the concerned Magistrate and the matter ended in conviction on 05.09.2017 imposing the petitioner with a fine of Rs.1,200/-.

Taking the above said facts into consideration, this Court is of the opinion that there are no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

Miscellaneous petitions, if any, shall also stand dismissed.

Date: 25.09.2019.
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P. KESHAVA RAO, J